

# Forensic Memory

Literature after testimony

Johanne Helbo Bøndergaard

palgrave macmillan memory studies



# Palgrave Macmillan Memory Studies

Series Editors  
Andrew Hoskins  
University of Glasgow  
Glasgow, UK

John Sutton  
Department of Cognitive Science  
Macquarie University  
Macquarie, Australia

“Bøndergaard’s work breaks new ground by drawing attention to the emergence of ‘forensic memory’ in literature after testimony. The study astutely tackles the complex interplay between materiality, law, science and subjectivity in ways that are illuminating and original.”

—Anna Reading, *Kings College, University of London, UK*

“Forensic Memory is a major contribution to the field of literary memory studies. It offers a compelling new way of understanding memory literature beyond the aesthetics of testimony. Bøndergaard discusses the recent forensic turn in cultural memory and draws our attention to the ‘forensic mode’ in literature: works that approach the past through detection, analysis, and archaeology. She shows how, at the same time, such literature can uncover the paradoxes inherent in forensics. Forensic Memory is a fascinating read, a timely and very welcome broadening of our perspective on memory and literature – recommended to anyone interested in recent developments in memory culture and memory studies.”

—Astrid Erll, *Goethe University Frankfurt, Germany*

The nascent field of Memory Studies emerges from contemporary trends that include a shift from concern with historical knowledge of events to that of memory, from 'what we know' to 'how we remember it'; changes in generational memory; the rapid advance of technologies of memory; panics over declining powers of memory, which mirror our fascination with the possibilities of memory enhancement; and the development of trauma narratives in reshaping the past. These factors have contributed to an intensification of public discourses on our past over the last thirty years. Technological, political, interpersonal, social and cultural shifts affect what, how and why people and societies remember and forget. This groundbreaking new series tackles questions such as: What is 'memory' under these conditions? What are its prospects, and also the prospects for its interdisciplinary and systematic study? What are the conceptual, theoretical and methodological tools for its investigation and illumination?

More information about this series at  
<http://www.springer.com/series/14682>

Johanne Helbo Bøndergaard

# Forensic Memory

Literature after Testimony

palgrave  
macmillan

Johanne Helbo Bøndergaard  
Aarhus University  
Aarhus, Denmark

Palgrave Macmillan Memory Studies  
ISBN 978-3-319-51765-0 ISBN 978-3-319-51766-7 (eBook)  
DOI 10.1007/978-3-319-51766-7

Library of Congress Control Number: 2017939114

© The Editor(s) (if applicable) and The Author(s) 2017

This work is subject to copyright. All rights are solely and exclusively licensed by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Cover illustration: Jane Jones/Alamy Stock Photo

Printed on acid-free paper

This Palgrave Macmillan imprint is published by Springer Nature  
The registered company is Springer International Publishing AG  
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

## ACKNOWLEDGEMENTS

It is a pleasure to thank the staff at Palgrave Macmillan for their competence and helpfulness during the publication process. I also want to thank the reviewer for insightful comments, and the series editors for their faith in this book. Warm thanks goes to the assessment committee of my PhD thesis, Anna Reading, Astrid Erll, and Jakob Lund, whose comments and questions at my PhD defence made me understand my work so much better. Particular thanks are due to Anna Reading for insisting on the gender issue, which forced me to track down and read some amazing new books. My ideas have also benefited from the generous comments and questions at my thesis seminar from Thomas Keenan and Hans Lauge Hansen, masterclasses with Richard Walsh, Chiara De Cesari, and Stef Craps, and from comments and questions at seminars and conferences in the Mnemonics Network for Memory Studies and the COST Action “In search of a transcultural memory in Europe.”

This project has developed during my time as a graduate student at the Graduate School of Arts at Aarhus University, and I want to thank my colleagues in the Department of Communication and Culture, particularly the PhD students, colleagues in Comparative Literature, and of course my supervisors Mads Rosendahl Thomsen and Karen-Margrethe Simonsen. Thank you! Thanks Laura for conversations and coffee, Sara for morning chats about kids, sleepless nights, and memory studies, Esben for overly long talks about nothing in particular, when both of us ought to have been working. I also want to thank Maria Dorr, Astrid Erll, Joana Tavares, and colleagues at Goethe Universität and the

Frankfurt Memory Studies Platform for their hospitality and for including me in their inspiring discussions when I visited Frankfurt in 2014.

On a personal note I must thank my family, Michael and the kids, my parents, and Sasja Stopa (almost family too), for support and much needed distractions.

# CONTENTS

<b>1</b>	<b>Introduction</b>	<b>1</b>
<b>2</b>	<b>After Testimony</b>	<b>47</b>
<b>3</b>	<b>Forensic Traces</b>	<b>113</b>
<b>4</b>	<b>Forensic Narration</b>	<b>167</b>
<b>5</b>	<b>Conclusion</b>	<b>217</b>
	<b>Bibliography</b>	<b>227</b>
	<b>Index</b>	<b>239</b>



## Introduction

Today, the exhumation and analysis of broken bodies and their positions in the landscapes and architectures that saw them broken and buried, are central to the legal, political, and affective aftermath of human-made disasters around the world.<sup>1</sup> Thus, forensics has become an essential agent in negotiations of cultural memory. As yet, however, forensics has hardly entered scholarship on cultural memory, at the heart of which remains testimony.<sup>2</sup> This book seeks to remedy this matter. I take as my starting point the observation that forensics plays an essential role in contemporary processes of reconciliation and restorative justice, as well as in the local and intimate processes of mourning. I argue that recent literature on memory and the past is informed by the analytical, archeological, and judicial orientation of forensic practices. Thus, I approach the question posed by Jakob Lothe, Susan Suleiman, and James Phelan in their book *After Testimony* (2012)—but from the opposite direction. As those who witnessed many twentieth-century horrors pass away, how will this influence literary engagements with these events? When the human being who is the focus of our attention is a dead one, and the event that is being scrutinized is no longer available through the memory of personal experience, how do we go on to represent, interpret, and pass judgment? And (how) does a “forensic” mode of writing the past play out in relation to events that are not all that distant historically and must interact with the testimonies and memories of the living?

The aim of this book is twofold. First, I describe and analyse a particular literary mode that challenges the aesthetics of testimony by approaching the past through detection, analysis, and “archaeological” digging. How does *forensic* literature narrate the past in terms of plot, language, narration, and use of visual media? Second, I explore how this “forensic” literary engagement with the past challenges a forensic paradigm that aims to eliminate the problems related to human testimony through scientific objectivity. The field of forensics has the potential to analyse the past with scientific detachment and to provide an external viewpoint that can be scrutinized and challenged in the adversarial system of the trial, and in the scientific processes of peer review. However, forensics inherits—and also obscures—many of the issues related to testimony. Because the scientific method of forensics lays claim to detachment and objectivity, it has a particular persuasive power. This power is further accentuated by the appropriation of the ethical claim of testimony as the bones and bodies supposedly “speak” through acts of scientific ventriloquism. While forensics plays an important role in the political, legal, and commemorative aftermath of war and conflict, it is important to recognize and analyse the tension between forensics and testimony. I claim that literature’s potential to explore the mechanisms of representation, interpretation, and narration provides an important corrective to the forensic paradigm and a means of exploring the relationship between visual and material evidence and various forms of testimony.

I pursue three interrelated hypotheses:

1. While a shift of emphasis from testimony to forensics has taken place in contemporary memory culture, a continuing tension between the two can be observed in contemporary literary works on memory and the past.
2. This shift demands a reconsideration of testimony within a forensic framework.
3. While the “forensic” narrative mode that I discuss here reveals an interest in materiality, law, and scientific approaches to the past, it also provides a corrective to the assumption inherent in forensics that the scientific analysis of objects and bodies could (and should) leave human subjectivity and bias to one side when the past and its meanings are being negotiated.

## PART I: THE QUESTIONS

In this part of the introduction, I briefly elaborate on the hypotheses above. I consider how a literary mode of writing may be considered “forensic” and suggest that forensics as a research perspective on contemporary literature is useful for understanding specific tendencies in literary engagements with the past. I further consider how contemporary forensic practices not only function as detached scientific discourses but are also tied up in pragmatics, politics, and more specifically, in memory work. Thus, while memory and forensics seem to be in opposition, I argue that the *tensions and connections* between the two need to be recognized. Finally, I raise the question of testimony, which is usually contrasted with forensics (and related, rather, to memory). I suggest that testimony returns as a forensic genre and a central frame of reference within a forensic memory culture.

### *Literature After Testimony*

“Forensics,” which derives from the Latin word *forensis*, refers to “the forum,” and thus to the art of addressing a political or judicial public. In its contemporary usage, forensics has a narrower meaning that refers to judicial argumentation particularly related to the scientific disciplines that analyse the traces of criminal activity and create and present evidence to a court. When I assert that forensics can also be useful as a research perspective applied to literary analysis, I do not mean to say that the literary works I examine try in any scientific way to establish the facts about past events. That is hardly literature’s main concern. Instead, I propose that they rely on a similar understanding of the piece of evidence as marked by past conditions and events, and present it to a forum (of readers). The forensic method of writing, observable in literary works dating roughly since the year 2000, deals with historical events and introduces traces of the past alongside the written text.<sup>3</sup> Forensic works make claims about these events and explore the complicated processes of interpretation and evaluation that give these traces meaning.

Göran Rosenberg’s *A Brief Stop on the Road from Auschwitz* (Rosenberg 2014), Aleksandar Hemon’s *The Lazarus Project* (2008), Javier Cercas’ *The Anatomy of a Moment* (2012), and Joseph O’Neill’s *Blood-Dark Track* (2009) will be my main cases (and I will discuss why I have chosen these particular works later in the introduction). The

following works are also relevant: Esben Søbye's *Kathe, Alltid Vært i Norge* (2005);<sup>4</sup> Fethiye Çetin's *My Grandmother* (2012); Orhan Pamuk's *Istanbul* (2006); Ignacio Martínez De Pisón's *To Bury the Dead* (2009); clausbeck-nielsen.net's *The Suicide Mission* (2005); Maja Lee Langvad's *Find Holger Danske* (2006); Daniel Mendelsohn's *The Lost* (2008); Patrick Desbois' *Holocaust by Bullets* (2008); Dave Eggers' *Zeitoun* (2010); Charles Pellegrino's *The Last Train from Hiroshima* (2010); Lars Bedsted Gommessen's *Alt Blev Hvidt* (2003); Stefan Hertmans' *War and Turpentine* (2016); Puk Damsgård's *The Isis Hostage* (2016); and Madame Nielsen's *Invasionen. En fremmed i flygtningestrømmen* (2016). I will return to some of these texts in my discussions. While these works are not specifically interested in crime and violent conflict (at least not all of them are), and deal first and foremost with our present negotiations of past events, they do address past transgressions on a personal or historical level. I accordingly argue that these literary works are informed by a forensic memory culture. That is, they respond to a memory culture increasingly concerned with material objects and traces, in which memories of conflict, violence, and loss are tied to the scientific practices and legal evaluation that give them meaning and legitimacy in the public sphere.

Yet as artistic interventions in this memory culture, they also explore and challenge the possibility of detached, analytical engagement with, and representation of, traces and evidence. In *To Bury the Dead*, Ignacio Martínez de Pisón presents photographs of the protagonists in his narrative as well as drawings by José Robles, whose disappearance in the early days of the Spanish Civil War is the subject of the book. While the photographs may seem to support the narrative as a form of evidence of the events in question (and how they do that should, of course, be analysed further), the drawings both illustrate the narrative *and* present the traces of Robles' actual manual gestures on the page. While these drawings do not prove anything about past events, their presence acknowledges a character and incorporates a particular perspective—a visual testimony, if you will—that is otherwise (and essentially) missing from the narrative, that of José Robles. The book is a carefully researched story of detection, but these drawn traces of Robles will never lead to finding him, or to any verifiable facts. Instead, these images, which are central to the aesthetics of the book, allow the reader briefly to inhabit his point of view.

Clausbeck-nielsen.net's *The Suicide Mission* describes the journey of Nielsen and Rasmussen carrying The Democracy (a metal box with "The Democracy" written on its side) into Iraq. The book is narrated from a future perspective and includes material from Nielsen's journals and newspaper articles (from real newspapers, potentially familiar to readers). It also features pencil drawings of the spatial layouts of the political fora established around The Democracy throughout the journey. As the narrator's position in the future suggests, this book, while intensely political and concerned with controversial contemporary events, hardly aims for scientific accuracy. Rather, it addresses the political and moral question of forcing democratic processes on other cultures by *performing* an external viewpoint on our contemporary political society. The drawings are map-like presentations of political spaces. In one of them Nielsen and Rasmussen meet with the Communist Party in Basra, and the drawing shows the layout of this meeting. The text on the opposite page is a colourful ekphrasis of a *photograph* of the same situation (clausbeck-nielsen.net 2008, 53–53). Thus, *The Suicide Mission* explores categories of evidence and representation, and highlights the importance of interpretation and perspective.

When the interpretation or presentation of evidence takes place in a literary work rather than in the courtroom, the evidence is, of course, interpreted according to a different logic. In the courtroom, forensics—as *the art of the forum*—tries to establish the facts about the event(s) in question and present them to the forum, potentially leading to conviction (or acquittal). In a forum surrounding a work of art the more general meanings raised by the particulars of the representation are exercised by the reader (see, for instance, Walsh 2007, 50). They are criticized, felt, and considered not in relation to immediate consequences to the people involved (criminal liability, guilt, conviction, etc.) but in relation to the reader's personal world-view and set of values. Rather than trying to define a genre, I use the term "narrative mode" in the sense used by Astrid Erll in relation to novels of World War I as "modes of representation which may elicit different modes of cultural remembering in the audience" (Erll 2008, 390). I argue that the forensic mode, characterized by the presentation of evidence for interpretation and evaluation to a forum of readers—a *forum of art*—elicits a mode of cultural remembering that is concerned with claim-making and contestation. A reflexive and *agonistic* mode that is political, in the sense of inviting critical debate, rather than primarily ethical in its relation to the

past. That is, the forensic literary mode is less concerned with bringing the trauma of the past into the present or with allowing silenced voices to be heard than with exploring and opining on past and present issues and bringing these opinions and the evidence that supports them to a public forum.

Forensics is a research perspective (and others might have been chosen to describe these works) that foregrounds these works as memory narratives engaged in the evaluation of real events—and as being related to, but also differing from, testimony in the way they engage with history. The term “forensics” is applied to place these narratives in relation to (1) a contemporary memory culture increasingly shaped by forensic practices, and (2) testimony, the juridical terminology shedding light on the differences and similarities between the two contemporary modes of writing about the past.

### *Forensics in Politics and Memory Culture*

In his book *The Least of All Possible Evils* (2011), Eyal Weizman suggests that a shift from testimony to forensics has taken place. Taking as his point of departure Richard Goldstone’s report on the Gaza conflict, Weizman notes that, while including dozens of testimonies, this report “also assumed that the reliability of those witness statements would be keenly contested” and therefore “tips the balance towards objects and objectivity.” This is particularly interesting, Weizman notes, because Richard Goldstone was formerly an apartheid judge and a promoter and defender of the South African truth and reconciliation committees, which were characterized by oral testimony and storytelling. Weizman states that “the shift of emphasis from human testimony towards objects of material evidence and forensics in this investigation [of the Gaza conflict] is indicative of larger cultural and political transformations” (Weizman 2011, 103).

In the introduction to the 2014 volume *Forensis*, Eyal Weizman defines this shift of emphasis as “an emergent sensibility attuned to material investigation that has become increasingly evident not only in contemporary law and the fields of human and environmental science, but also in popular entertainment” (Weizman 2014, 10). Social anthropologist Francisco Ferrándiz, focusing more narrowly on the excavations of bodies, calls this a “corporeal epistemology,” and, quoting Eric Klinenberg, a “transnational consolidation of dead bodies as ‘the site and

surface of essential but otherwise obscured social truths” (Ferrándiz 2013, 42). In her book *Exhuming Loss* (2011), Layla Renshaw comments that

the speed of implementation of forensic exhumation in Iraq in 2003, ahead of the reconstruction of war-damaged infrastructure, indicates the primacy that forensic investigation has assumed in structuring representations of the recent past. (Renshaw 2011)

In their essay *Mengele’s Skull* (2012), Thomas Keenan and Eyal Weizman suggest that just as the Eichmann trial inaugurated the Era of the Witness (as has been argued by Annette Wieviorka among others), the exhumation of the infamous Nazi doctor Josef Mengele in 1985 inaugurated the forensic shift we see today. Forensic anthropologist Clyde Snow, who participated in the identification of Mengele, later trained the team that conducted the exhumations of the *desaparecidos* Argentina in 1986 and Guatemala in 1991. These events started the process of turning mass graves around the world into epistemic resources for the legal processing of war crimes as well as places of mourning. The increasing “legalization” of human rights in the 1990s with the establishment of the International Criminal Tribunal for the former Yugoslavia (ICTY) in 1993 (the first of its kind since the Nuremberg and Tokyo trials following World War II), the International Criminal Tribunal for Rwanda (ICTR) in 1994, and finally, the International Criminal Court in 1998, contributed to this shift.

I take Keenan and Weizman’s argument as a point of departure and further suggest that the growing integration of international memory politics and legal practice—and the encounters between forensic scientists, local communities, and media representatives around the mass graves—have led to a forensic shift in memory culture as well. In Spain, for instance, the legacy of the civil war and Franco’s dictatorship has received much (belated) attention since approximately 2000. Beginning in the mid-1990s, and formalized with the 2007 Law of Historical Memory, the Spanish memory discourses were inspired by international humanitarian and human rights law, and memory work in Latin America, and also informed by the latter part of the so-called memory boom that has received much attention in academia since the 1980s. Importantly, post-2000 memory work in Spain revolves around the exhumations of victims and the encounter between forensic scientists, journalists and

family members that takes place at the burial sites.<sup>5</sup> The exhumation and forensic examination of the bodies of former political leaders who died under suspicious circumstances (Bolívar, Allende, and Yasser Arafat) also invite the re-examination of history and suggest (as noted by Weizman) that the forensic shift does not rank science above politics or historical memory. Thus, while forensic practices have traditionally been used by state actors to police and investigate individuals, today they are also concerned with investigating state-sponsored violence and challenging institutionally established truths.

Technological developments within the forensic sciences are noteworthy reasons for their growing political impact. Forensics now has more to offer in terms of establishing the identity of victims and ascertaining what happened and who did what. We are all familiar with the possibilities of DNA testing and of establishing the age, gender, and nutritional and medical history of the deceased. These techniques (and the technologies that make them possible) are increasingly being used to identify victims of political oppression and violence.<sup>6</sup> Forensic investigations take place within frameworks where scientific standards are developed and applied, and where the forensic identifications and analyses received are put to judicial, political, or personal use. One such framework is the growing institutionalization and standardization of the processes of exhumation and analysis within international human rights law. These standardized practices, however, are often omitted or compromised due to insufficient funding, the massive scale of the crimes in question, failing infrastructure, or a lack of institutional and judicial frameworks.

While particular legal processes depend on forensic analyses of victims and crime scenes, the establishment of the frameworks for these processes and their limitations are political issues. In Rwanda, the forensic investigations conducted by Physicians for Human Rights in 1996 turned out to be counterproductive, with lack of resources hampering scientific rigour, and the (expensive) evidence consequently deemed inadmissible (Jessee 2012). In the former Yugoslavia, exhumations were carried out unsystematically until 2001 when the International Commission on Missing Persons assumed responsibility for monitoring them (Ferllini 2007). Even then, pragmatism determined which graves and battlefields were analysed. In Spain, organizations established locally have initiated excavations and initiatives have mushroomed across the country—but lacking centralized institutional supervision (Ferrándiz 2013, 50). International forensic standards are only slowly being



“downloaded” (Ferrándiz) and forensic evidence still ends up in a judicial vacuum. This is because both the temporal distance of the crimes and the 1977 Amnesty Law prevent the assigning of penal responsibility.<sup>7</sup> The legitimization of forensic exhumations is not only motivated by judicial considerations, but is also, as the Spanish case clearly demonstrates, connected to the memory work that the exhumation of victims has enabled and to the potential establishment or revision of an agreed-upon truth about the past. Thus, while the discourses of forensics and memory appear to approach war and conflict from opposite directions, they are in fact intimately connected and depend on each other for their authority and legitimacy.

In his book, *Disaster Archaeology* (2007) Richard Gould describes how his encounter with scattered human remains across downtown New York after 9/11 led to the development of standardized practices in what he calls “disaster archaeology.” He also describes how the victims of the terrorist attacks were scattered across lower Manhattan (Gould 2007, 34) and how systematic recovery and identification work through forensic analysis (urgently important to family members) conflicted with the need for a swift clean-up.<sup>8</sup> The memory work related to the 9/11 terrorist attacks connects to the trajectories of these human remains. While most of the debris was removed to the Fresh Kills Landfill, some was blessed and placed in urns for the families (see Sturken 2007, 178–179). Today, the unidentified remains are kept under the jurisdiction of the Office of Chief Medical Examiner (OCME) of the City of New York at the World Trade Center site. Both a place of memory and of science, “the repository provides a dignified and reverential setting for the remains to repose – temporarily or in perpetuity – as identifications continue to be made. The OCME is committed to the ongoing work to identify the remains of 9/11 victims” as the webpage of the 9/11 Memorial Museum describes it (National September 11 Memorial and Museum 2016). Visitors to the museum will encounter a wall behind which the OCME is located while family members are allowed into a “private space” next to the repository called the Reflection Room. In relation to 9/11, forensics and memory are intimately interconnected issues, and this is evident from the architecture of the Memorial Museum.

World War II has also become the object of contemporary forensic investigation. But when mass graves are opened in Eastern Europe, and the architecture of concentration camps is analysed, this again has more

to do with memory work and history writing than with any judicial processes related to the event itself. One example is the famous David Irving trial in 2000<sup>9</sup> in which the evidence given by Robert Jan van Pelt about the presence of gas chambers in the ruins of Auschwitz played a central part.<sup>10</sup> Forensics served here to counter historical revisionism.<sup>11</sup>

These examples all suggest that, far from being a detached scientific or judicial practice, forensics is closely connected with politics and memory work and governed by pragmatism and shifting political agendas. The victim in the grave whose identity and history is the object of study is of crucial importance to local communities and family members as well as the focal point of memorialization and dark tourism. Forensics, as the etymology of the word reminds us, is detached neither from the place and circumstances of investigation (what Eyal Weizman calls the *field*) nor from the public space where the evidence is presented (the *forum*) (Weizman 2014, 9).

The shift towards forensics in the aftermath of wars and genocides is based on a need for evidence that will remain more stable over time and is not as easily contested as human testimony. Forensics is persuasive because it analyses the past with scientific detachment. However, it is easy (even for the forensic scientists themselves) to overlook the fact that forensics—as a practice directed at the forum of the court—is also rhetoric, mediation, narration, and performance of evidence that carries traces of the past (see Weizman 2011, Keenan and Weizman 2012). “Although” Weizman later reminds us “in popular imagination, the cold gaze of science produces conclusive and non-contestable proofs, findings in the natural sciences are all subject to probability and margins of error” and there is always scope “for political manipulations and negations” (Weizman 2014, 24). While forensics conceives of itself—and is widely recognized as—a reliable vehicle for truth, it *is* and (as I will argue below) *should be* subject to human interpretation.

While forensics may serve the cause of political and historical justice, it can also be used to promote violence and provoke conflict. In *The Political Lives of Dead Bodies*, Katherine Verdery discusses the political use of dead bodies in relation to the Yugoslav Wars. She recalls how the bodies of Serbians who died in World War II were exhumed and used by nationalist politicians to help “ignite the warfare in 1991, which yielded still other bodies in mass graves, sources of recrimination that fueled the wars further” (Verdery 1999, 97). In addition, as Eva Domanska has recently argued, forensics and scientific engagement with crime are

closely connected with technologies of surveillance and identification that are used in crime prevention, carrying troubling connotations from the early days of criminology (Domanska 2017, see also Weizman 2014).

Even at its most benevolent, forensic practices reframe the dead human body as it is processed by forensic technologies and media, turned into data, images, graphs, and models, and circulated between laboratories, court rooms and burial sites. As the bodies are turned into evidence, the individual victim gains a virtual after-life, sometimes many years after he or she has passed away. What does this forensic gaze do to bones, bodies, and broken objects found on them? Forensic practices, it may be argued, constitute yet another violation of the dead body. In Srebrenica, the exhumed bodies were labelled “Muslim” by the religious authorities who undertook the reburials. As a result, the forensic process continued (or completed) the ethnic transformation from secular Yugoslavs to Bosnian Muslims that had begun with the Bosnian War. Also in the former Yugoslavia, the description by Eric Stover, Executive Director of Physicians for Human Rights from 1992 to 1995, of the process of analysis, with the anthropologists “hovering nearby with hacksaws” (further emphasized by the photographs taken by Gilles Peress) suggests the extent to which the intimate interior of the body is laid bare to the scientific gaze.

Exposed and vulnerable, transported and manipulated, x-rayed, coded, and turned into models and data, and laid bare in the media, the material bodies of political victims are exposed to various actors and used for different political purposes. Supporting conflicting political agendas, the after-lives of dead bodies do not belong to themselves—or to their mourning relatives (see Verdery 1999 and Ferrándiz and Baer 2008).

Literary engagements with historical events may, I suggest, serve to re-imagine and reframe them and to explore notions of evidence, investigation, and detached, objective interpretation. They may also serve to introduce a critical perspective on forensic practices that create a highly abstract and schematized model of the human being. I further suggest that forensic literary works insist on and draw attention to the relationship between analyses of historical traces, memory work, and politics.

### *Reframing Testimony*

One reason for the growing importance of forensic science is that memory’s procedural and relational character has become common knowledge.

Threatening the trustworthiness of testimony are not just personal bias, the confusion of (potentially) traumatic events or the passage of time, but the plastic and dynamic nature of memory itself. While the vulnerability of testimony has been central to its cultural importance (and while the plasticity of memory is in all probability essential to our everyday survival and to the workings of our society) it remains a juridical problem.<sup>12</sup> Testimony—as theorized about by, for instance, Lyotard, Laub and Felman, Caruth, Hartman, and Agamben—has also come to be characterized by its ethical rather than its epistemic function. Referring to the work of Michal Givoni, Weizman writes as follows:

[Testimony] is not only tasked with revealing and authenticating claims of historical injustice, but furthermore, the validity of testimony in the context of war crimes stems from the capacity to speak at all in the face of the horrors of totalitarianism. Ethical rather than only epistemic, the function of testimony in situations of exposing state crimes is primarily in its delivery. (Weizman 2011, 113)

Weizman adds that while testimony has helped bring histories of violence into the public sphere, its historical relation to trauma tends to depoliticize historical processes and portray people as passive victims rather than political citizens (*ibid.*). I will discuss this matter further in this chapter.

Instead of the victim's testimony, it is forensics and *expert* testimony (performed by supposedly impartial international teams)<sup>13</sup> that become dominant, as not only guilt or victimhood in general terms but also criminal liability in specific cases and the identity of individual victims has to be established. The “era of forensics” is, according to Weizman, partly “a reaction to and perhaps an overcompensation for the indeterminate and fragile voice of the victim.” But “it is not one in which the misanthropic object emerges as a stable and fixed alternative to humane uncertainties, ambiguities and anxieties” (Weizman 2011, 115). This is an important point to which I shall return. While a forensic shift responds to a particular theorization of testimony, it also inherits much of its legitimacy from it. As Weizman has recently stated, “the aesthetic, political, and ethical complications that emerge with this turn establish the dead body not as an alternative to testimonial practices, but rather their continuation” (Weizman 2014, 24). It is important to Weizman's argument, then, that forensic practices *do not* put human subjectivity to one side, and that testimony returns in another form, as the material

evidence also provides its own testimony through the “expert testimony” of scientists.

On the other hand, while Weizman is acutely aware of the subjective bias of forensics and its rhetoric, he does not discuss the implications of the proposed shift for (non-expert) testimony, which remains an important judicial genre. Even though testimony is commonly mistrusted as constructed and biased (and even though it may play a less central role than before, particularly in the international criminal courts), it must still be recognized. This is true not least because testimony plays a part in the—forensic—processes of locating mass graves, establishing a chronology of events, and identifying victims.<sup>14</sup> Eric Stover, for instance, comments that a specific mass grave (in Lazete in Eastern Bosnia) was particularly important to the exhumations following the war in Bosnia because there were living witnesses to the executions there (Stover 1998, 150). Thus, in the legal sphere, testimony remains a part of forensic practice and should, I propose, be reconsidered as a kind of linguistic *and* material evidence, another forensic genre or mode of speech. As regards the shift of emphasis from testimony to forensics suggested by Weizman, I argue in this book that forensics does not simply replace testimony—rather, the shift (of emphasis or *perspective*) reveals that they work on different levels: one is a method and the other a kind of evidential material.

Such is also the case in literature. Among the narrative strategies found in the forensic literary work, testimonial forms are still used (implicitly or explicitly). As Lothe, Suleiman, and Phelan argue, the “after” in their title refers *both* to the fact that in relation to the Holocaust we are nearing an age without witnesses<sup>15</sup> *and* to artistic creation, suggesting that works dealing with the Holocaust must in some way come to terms with the legacy of the witnesses (Lothe et al. 2012, 2). I propose a more radical viewpoint than the editors of that volume: that there is a mode of writing that does in fact come *after* testimony—a *forensic* one that reflects the contemporary legal and political context.

Drawing on Keenan and Weizman’s argument, I argue that testimony and forensics are not two distinct practices with one simply taking over from the other. Instead, as forensics takes centre stage, testimony is reframed as part of the forensic argument or mode of writing. Testimony operates as its own kind of (material) evidence that depends not merely on the representation of remembered events, but also on the voice and body of the speaker, on the performance in the forum, on the recording,

documentary and broadcasting technologies involved in bearing witness, and on the expert evaluation or narrative framing that might accompany it.<sup>16</sup> While testimony may to some extent shed its ethical over-determination by regaining its judicial meaning, it is also the case that the bones and bodies scrutinized by the forensic gaze adopt the vulnerability and ethical stance of testimony. Forensic narratives use testimony as one form of evidence and my analyses suggest that forensic works are critical of the legacy of trauma theory and its overemphasis on ethics rather than politics. In relation to my second hypothesis, then, I propose that testimony must be reframed as a forensic (sub)genre. I argue that this reframing begs two interconnected manoeuvres, to which I will return in the following chapter: the detachment of testimony from its theoretical entanglement with trauma; and the re-evaluation of the cultural history of testimony, moving beyond testimony as a predominantly ethical practice. As a forensic genre, testimony's relationship with other types of evidence is complex. Considering testimony from a judicial point of view sheds light both on the different functions and modes of witnessing, and on its history.

## PART II: THE THEORY

Forensics increasingly dominates not only the legal aftermath of wars, conflicts and genocides but also the memory work associated with it. In this section, I discuss how forensics resonates with recent scholarly developments in the field of cultural memory studies. Thus, I connect two fields of research that may seem to be in opposition to one another—namely cultural memory studies and recent research on forensics. I argue that the emphasis in recent scholarship on cultural memory has tended to shift towards political and material frameworks that shape the way we remember and commemorate. This trend appears to be a response to critical voices such as Tony Judd, who in *Reappraisals* (2009) protested that the recent memorialization boom has made the twentieth century into “a moral memory palace,” a “pedagogically serviceable Chamber of Historical horrors” that serves as a substitute or surrogate and “encourage[s] citizens [...] to see the past – and its lessons – through the particular vector of their own suffering” (Judd 2009, 4). Another argument comes from Andreas Huyssen in *Present Pasts* (2003), who states that “the approach to history as trauma [...] does not help much to understanding the political layers of memory

discourse” (Huyssen 2003, 9). Huyssen goes on to declare that “human rights activism, truth commissions, and juridical proceedings are better methods for dealing with historical trauma” (ibid.). Discussing forensics in the context of cultural memory studies sheds light on the cultural dynamics of forensic practices, an issue that becomes increasingly important. As Marouf Hasian Jr. has it,

Justice is something that exists within cultures, and not something that can only be ‘settled’ in some adversarial process that depends on propositional logic. Even our most cherished ‘rules of law’ are only suggestions of how publics are to act, and their enforcement depends on the power of collective memories. (Hasian 2001, 44–45)

Conversely, the introduction of forensics into the field of cultural memory studies provides a new perspective on our contemporary memory culture, emphasizing the shift away from trauma and testimony. The current concern with mediality, materiality, durability, and decay, with legal and political borders and boundaries—and the shift away from an emphasis on the linguistic aspects of remembering intimately connected to the Era of the Witness in memory culture—can be understood within the context of international human rights discourse and international law.

In this section, I discuss three issues that particularly reveal common concerns of cultural memory studies and forensics:

- Transnationality
- Materiality
- Mediality.

I relate these issues to Keenan and Weizman’s critical concept of forensic aesthetics, which foregrounds the sensorial capacity of matter and the way it can take part in the making of claims into a forum. I propose that the forensic narrative mode explored in the following chapters establishes fora and makes claims, while foregrounding the importance of human values and interpretation in the evaluation of evidence.

### *Transnationality and Travelling Memory*

As suggested above, forensics depends on international frameworks and standards that are either applied to local cases by international

institutions or downloaded into national contexts. Thus, the transnational dynamics of forensics is tied to international exchanges of scientific standards, international human rights law, and transnational circulation and exchange of ideas about human rights violations, images of decomposing bodies, and portraits of missing relatives in mass media and social media. Conversely, the national remains an all-important category, as the legal framework is in most cases tied to the nation state or (in the international courts) specifically concerned with the politics of and within particular national frameworks. While today the national frames “are no longer the self-evident ones they used to be in our daily life and identity formation” (Cesari and Rigney 2014, 2), and transnationality is thus a theoretical and methodological challenge within the field of cultural memory studies, the legal, political, and geographical borders are still there and only in various degrees permeable to particular actors in particular contexts. In the introduction to their recent book *Transnational Memory—Circulation, Articulation, Scales* (2014), Chiara De Cesari and Ann Rigney argue with Astrid Erll that attention needs to be paid to the cross-cultural dynamics of memory, while recognizing the “existence and variable permeability of borders” (Erll 2011a, b, 9, quoted in Cesari and Rigney 2014, 4). Cesari and Rigney focus on the importance of borders and argue for a concept of “transnational” rather than “transcultural” memory, which they suggest has stronger analytical purchase:

‘Transnationalism’ recognizes the significance of national frameworks alongside the potential of cultural production both to reinforce and to transcend them. [...] Since nation-states in principle have hard and fast, legal boundaries, the combination of ‘transnational’ and ‘memory’ opens up an analytical space to consider the interplay between social formations and cultural practices, or between state-operated institutions of memory and the flow of mediated narratives within and across state borders. It makes it possible to move to the centre of analysis the material presence of borders in the ‘flows’ of globalized memories; these may be non-hierarchical and deeply democratic in appearance, but may well themselves be the sites of hegemonic and governmental processes in ways that both reproduce and alter those of older national memory forms. (Cesari and Rigney 2014, 4)

Furthermore, the transnational perspective foregrounds the question of scale. Local, national or global levels of cultural memory cannot simply be distributed across a map from a vertical point of view, and “global”



memories cannot be conceived of as horizontally spreading across the surface of the globe, subsuming patterns of local or national remembering. Instead, transnational optics allows a visualization of memory “as a dynamic operating at multiple, interlocking scales and involving conduits, intersections, circuits and articulations” (Cesari and Rigney 2014, 6). Or, as Michael Rothberg argues in his contribution to *Transnational Memory*:

Transcultural memory refers to the hybridization produced by the *layering* of historical legacies that occurs in the traversal of *cultural* borders, while transnational memory refers to the *scales* of remembrance that intersect in the crossing of *geo-political* borders. (Rothberg 2014, 130)

Cesari and Rigney offer a generative approach in which “social frames should not be conceived of as ‘containers’ of memories, but rather as the historical outcome of acts of remembrance that help to redefine groups – and their boundaries – and establish new modes of mutual implication” (Cesari and Rigney 2014, 9). Mediated acts of remembrance create communities and publics, but also contribute to the negotiation of more or less permeable borders between communities and groups.

This take on the transnational dynamics of memory seems particularly suited to discussing forensics in the context of memory. As Francisco Ferrándiz and Alejandro Baer have shown, images of dead bodies or portraits of missing relatives circulate in the media and demand international attention, putting pressure on governments and reframing national identities (Ferrándiz and Baer 2008). These images call attention to borders and to what goes on behind them, and are hence involved in the global circulation of memory discourses through the “uploading” of local content (Ferrándiz 2013). Michael Rothberg maintains in his influential *Multidirectional Memory* (2009) that local narratives of oppression and violence may travel across borders and inspire, reframe, support or call attention to similar narratives in other contexts. Instead of competing for public recognition, Rothberg argues, the memories of different groups may lend support, authority, or legitimacy to one another. Rothberg convincingly shows that exchanges between different narratives are dynamic, complicated, and generative—and do not work simply by struggling against one another and subtracting each from the other in the process. Memory is, according to Rothberg, *multidirectional*, “subject to ongoing negotiation, cross-referencing, and

borrowing; [...] productive and not privative” rather than “a zero-sum struggle over scarce resources” (Rothberg 2009, 3). Accordingly, excavations in Argentina and the establishment of the Argentine Forensic Anthropology Team (Equipo Argentino de Antropología Forense, or EAAF) formed part of the development not only of technical and technological forensic tools but also of a narrative framework of forensics that shaped and legitimized later narratives of state and civil war violence.

Rothberg’s multidirectional approach draws attention to the fact that encounters between the memories of different groups are not necessarily competitive. Yet it is important to recognize (as Rothberg has himself done, see Rothberg 2009, 10–11) that this does not mean there are no power struggles, asymmetries, entanglements and hierarchies at stake. As Cesari and Rigney note (with reference to Chantal Mouffe), Rothberg acknowledges that “comparison and mutual mirroring are often ‘agonistic’ [...] and even antagonistic rather than non-competitive and equal” (Cesari and Rigney 2014, 10). In their article “On Agonistic Memory” Anna Cento Bull and Hans Lauge Hansen argue that contemporary political developments suggest that a cosmopolitan mode of remembering, as proposed by Daniel Levi and Nathan Sznajder, has failed to supersede antagonistic models of remembering. The cosmopolitan model of remembering is in fact *increasingly* challenged by the antagonistic collective memories of neo-nationalist movements. Thus, while Levi and Sznajder argued that we have seen a transition from national to cosmopolitan memory cultures, Bull and Hansen suggest that proponents of cosmopolitan memory “underestimate the emergence of movements bent on (re)constructing territorial forms of identification” and “overlook the important and novel role played by memory work in accounting for the increasing popularity of these movements” (Bull and Hansen 2015, 393).

Rothberg’s theory of multidirectional memory, and Cesari and Rigney’s conceptualization of transnational memory, reveal how forensic discourses are “up- and downloaded,” as Francisco Ferrándiz has it, from local memory cultures. They then travel across or encounter borders and enter negotiations of reparation and reconciliation politics, as they lend narrative patterns and carry across sediments of different contexts and political agendas.

In her article “Travelling Memory” Astrid Erll uses the concept of “transcultural memory” and suggests it as a research perspective (Erll

2011a, b, 9). Keeping the importance of borders (national and other) in mind, she goes on to identify transcultural memory as fundamentally “travelling memory.” She explains it “as the incessant wandering of carriers, media, contents, forms, and practices of memory, their continual ‘travels’ and ongoing transformations through time and space, across social, linguistic and political borders” (Erll 2011a, b, 11). As mentioned above, I find the concept of *transnational* memory useful for describing the dynamics of forensic memory discourse, since the political and judicial borders and boundaries (particularly between nations) are central to the workings of forensic practices. But I want to bring in Erll’s concept of travelling memory as it foregrounds how it is *through its* (multidirectional) *movement* that memory is kept alive. “I claim,” she says, “that *all* cultural memory *must* ‘travel,’ be kept in motion, in order to ‘stay alive’, to have an impact both on individual minds and social formation” (Erll 2011a, b, 10). “Travelling memory,” then, expresses “the principal logic of memory: its genesis and existence through movement” (ibid.).

Movements of bodies from gravesites through laboratories and courtrooms, or even across borders, influence these journeys of memory, and often demand the re-evaluation of established memory narratives. It seems that moving our dead is both extremely sensitive and highly political. In *The Political Lives of Dead Bodies*, Verdery describes the overwhelming manipulation of dead bodies in the Eastern Europe of the post-socialist 1990s. She discusses the political after-lives of statues, famous corpses, and the anonymous dead as they are moved around, brought home, torn down, reburied, and otherwise manipulated as a result of the political changes after 1989. Verdery demonstrates that the exhumed dead *can* in fact also be used for historical revisionism and for decidedly non-humanitarian purposes, supporting the (sometimes violent) *establishment* of national and ethnic borders. Verdery’s study reminds us that the contemporary forensic memory work discussed in the previous part of this introduction carries a legacy of human rights discourse which is far from self-evidently connected with exhumations, and is (as Weizman shows in *The Least of All Possible Evils*) increasingly tied up with state politics and military strategy (see Weizman 2011). As Rothberg has recently reasoned, patterns of implication are always complex (Rothberg 2013). Forensics may be an example of a practice in relation to which it becomes urgent to move beyond simple victim/perpetrator distinctions and look at other implications and the intricate trajectories of memory narratives. As Weizman has it, “the

analysis of armed conflict can no longer conform to the model of criminal law that seeks to trace a direct line between the two limit figures of victim and perpetrator, or between the two ends of a smoking gun” (Weizman 2014, 27).<sup>17</sup> Travelling, memory can follow many different trajectories and evidence can be created, used, framed, and reframed for many different purposes.

Verdery also observes that “[b]ones and corpses, coffins and cremation urns, are material objects. Most of the time they are indisputably *there*, as our senses of sight touch and smell can confirm. [...] Their corporeality makes them important means of *localizing* claims” (Verdery 1999, 27–28). Forensics is part of a *transnational* exchange and serves as a vehicle for keeping memories of past transgression *travelling*, in motion and alive. But in its fundamental concern with layers of earth, physical human remains, local environments, and national law, history, and infrastructure, it is also a practice that is undeniably grounded in particular places and tied up with local geographies, families and rituals.

### *Materiality and Mediality*

This material orientation of forensics also resonates with current concerns in the field of memory studies. On the one hand, recent research on memory emphasizes the materiality of memory itself and suggests commonalities with the layered materiality of earths and bones analysed in forensic science. On the other hand, forensics encounters issues connected to a desire for authenticity, for the real, the original, and the tactile. This desire is also prominent in memory studies and is related to the pervasiveness of digital media and the overload and instant accessibility of data that has come with the Internet. The question of materiality is thus closely connected to that of mediality and in the following section, my discussion of the two will overlap.

The materiality of memory is a central concern in José van Dijck’s *Mediated Memories in the Digital Age* (2007). In neuroscience, the brain is understood as plastic and in a constant state of physical development, memory as a faculty distributed across various brain systems, and remembering as a physiochemical process of establishing links involving the body, the senses, habitual movements, skills, and the surrounding environment. As such, memory is no longer understood in terms of storage and retrieval, nor in terms of narrative construction. Van Dijck writes, “in recent philosophies of the mind, connectionist metaphors tend to

conceive of memory as a distributed agency that leaves traces of an ongoing process” (van Dijck 2007, 31). The plastic brain changes in the process of remembering as new links are created, others reaffirmed and some neglected. Memory is material as it “is made of molecular and cellular substance, and it is transported through wired systems of its neurological and sensory apparatus” (van Dijck 2007, 33), even though the exact location of memory (or precise relations between specific brain systems and specific memory systems) cannot be pinned down.

While neuroscientists argue that the mediation of memory takes place in the plasticity of the brain, cognitive philosophers (van Dijck quotes John Sutton and Andy Clark here) add that this mediation is also tied up with the external world and its objects. Memory’s matter is also the material artefact that invokes memories, artefacts whose “(changing) materiality have reciprocal effects on the mindware that perceives it” (van Dijck 2007, 35). Locating memory in the interaction between material object and material body and brain, van Dijck comments that “the real value of mediated objects and their enabling technologies is often thought to lie in their supposedly static meaning, despite their obvious physical decay, and in their supposedly fixity as triggers, despite our constant intervention in their materiality” (ibid.). Consequently, van Dijck reminds us that the materiality of minds, bodies and objects is not constant, stable and unaffected by our use of them. Memories are not stored in the brain, a reservoir of stable content, nor can material objects function as “immutable deposits” triggering fixed memories (van Dijck 2007, 41):

After all, photo chemicals and ink on paper tends to fade, and home videos lose quality as a result of frequent replay (and even left unused, their quality deteriorates). In fact, it is exactly this material transformation – its decay or decomposing – that becomes part of a mutating memory: the growing imperfect state of these items connotes continuity between past and present. (van Dijck 2007, 37)

Van Dijck also stresses the human factor in the preservation, manipulation and destruction of external memory objects. She notes that people use material objects not just for the storage of memories but also to change them, delete them or change their meanings.<sup>18</sup> Memories are also mediated by sociocultural practices. Far from being created from nothing, memory objects grow out of sociocultural contexts and

within culturally established forms. Photographic conventions of a certain period determine how we take pictures and how we interact with them. Memory media are not just triggers for future recall but also “instruments and objects of inscription and communication: devices by which humans seek to establish their own identities in the face of their immediate and larger surroundings” (van Dijck 2007, 39). Similarly, the plasticity of memory’s mindware is shaped by social interaction (see also Hirst and Echterhoff 2012, Koppel and Hirst 2010, and Stone, Barnier, Sutton, and Hirst 2009). In cognitive science and philosophy, ideas of “extended,” “distributed,” or “situated” cognition have been developed.<sup>19</sup> In his contribution to the *Cambridge Handbook of Situated Cognition* Sutton explains:

Among the many resources we use to think about the past are a range of internalized representations, symbol systems, and habits of thought, which we learn (historically and developmentally) to manage with both idiosyncratic and culturally specified strategies. We are not untouched by our ongoing interaction with different media and symbolic technologies [...] It is one natural tendency of socialized brains like ours to co-opt cultural and moral, as well as linguistic, inner prostheses, altering our own cognitive machinery by exploiting and importing whatever tools and labels we can. Questions about the location of memory processes may no longer seem so important; rather, we are studying the transformation and propagation of representational states ‘across a set of malleable media,’ whether inside or outside the skin. (Sutton 2008, 228–229)

As “malleable media,” brains, bodies, objects and cultural frameworks change and evolve—for instance as memory “travels” through them. Travelling, memory leaves traces of its journeys in the materials that mediate it.

Van Dijck’s analysis of memory’s materiality must be seen in the context of her overall project, which is to analyse the ways in which media technologies—specifically digital media—shape acts of remembrance. It seems that the digital foregrounds the question of materiality, raising “poignant concerns about the relation between material objects and autobiographical memory, between media technologies and our habits and rituals of remembering,” as van Dijck explains it in her introduction. A similar concern is addressed in Anna Reading’s article “Seeing Red: a Political Economy of Digital Memory.” Reading argues that the recent metaphorical shift away from describing digital memory as a network to

describing it as a “cloud” obscures the political economy and material consequences of digital technology (Reading 2014, 753–754). Thus, for Reading it becomes urgent to bring back the materiality of this digital memory all the way down to the mining of minerals and rare earths, the factories, the server farms, the use of non-renewable energy resources, the pollution, the e-waste dumpsites, and the exploitation of human labour.

In the field of forensics, digital media are also intricately connected to their materiality, as data circulates through the bureaucracy of the judicial system and becomes evidence. Susan Schuppli explores these processes in her essay “Entering Evidence” in relation to the International Criminal Tribunal of Yugoslavia (ICTY). Documents, images, maps, CDs, videotapes, audio recordings, and even objects make their way through the mechanisms of the tribunal,

from their acquisition in the field by an investigator, their accession into the registry, digital processing and uploading to e-court, through to their pretrial disclosure by the prosecutor, and eventual presentation before the trial chamber, from whence an object or image may emerge as bona fide evidence and be assigned an exhibit number. (Schuppli 2014, 299)

In this process, the difference between materiality and the digital collapses as the court treats digital data as material objects, photographing and labelling CDs and audio tapes (rather than their content). Thus, the movements of single pieces of evidence are documented as they change hands—potentially through several different court cases where copies of the same evidential material are circulated, uploaded, and viewed on screens across borders and languages. The evidence travels through the legal media apparatus of the court, carrying the imprints of these processes, not just through labelling but also in the deteriorating quality of the audio/visual recordings as they are played and copied over and over again. Schuppli draws attention to the way in which the court seems largely to ignore or be unaware of the “alterations that accrue when exhibits (especially media materials) are repeatedly copied, translated, uploaded and so on” (Schuppli 2014, 304). Even in court cases that take place via screens and use digital copies of evidence, the materiality, Schuppli suggests, should not be overlooked in the practical workings of criminal law.

The constant presence of digital media and technology in our daily lives, mediating our knowledge of the world, makes the material, tactile,

authentic, and site-specific desirable. In “Nostalgia for Ruins” Andreas Huyssen posits that the contemporary desire for authenticity and immediacy reflects a “fear of inauthenticity, the lack of existential meaning and the absence of individual originality” (Huyssen 2006, 11). This was intensified in the course of modernization: “the more it was threatened by alienation, inauthenticity, and reproducibility” (Huyssen 2006, 9). Thus, the material trace, the ruins, and the imprints of the past are today carefully used in the design of museums, memorials, and commemorative ceremonies—even while interactive elements and web pages involve visitors in choosing information and activating their own personal histories (see for instance Knudsen 2011). In New York, for instance, the 9/11 Memorial Museum was planned around the physical remnants of the Twin Towers, their “footprints” and the unidentified human remains. The material traces serve as proof and a reminder that the commemorated event really happened. But more importantly, the sense that the past is somehow lingering in the remnants and ruins gives them strong emotional impact—also in the courtroom.

While Andreas Huyssen is surely right in his diagnosis, there may be another—related—reason. Knowledge about reality, about ourselves, and about the past is becoming increasingly based on complex scientific analyses, calculations, and arguments and is fundamentally mediated by complicated technology (from nano-microscopes to space telescopes, ultrasound scans, and DNA profiling). When experts, graphs, and models are needed for a translation of the real, for instance of the intimate experiences of illness, injury, pregnancy, and genealogy, the immediate and authentic becomes valuable currency. For relatives, the identification of a lost family member through the presence of material bones and familiar objects leads to the end of uncertainty. As with religious relics, the physical remains come to represent the dead individual and their presence means that funeral rituals and familial practices of mourning can take place.<sup>20</sup> The highly material practice of exhuming and analysing bones, bodies, landscapes, and architectures is, however, also a process of recording, translating data into fact through the mediation of complex technology, digital imaging, and scientific techniques and language.<sup>21</sup> This virtual after-life of the dead must be seen in relation to the materials and media in which it is stored and to the practices according to which they are used, copied, and distributed in various specific contexts—be they judicial proceedings or memory work such as funeral rituals, memorials, museums, or art practices.



What I continually return to in this section is the pragmatic, bureaucratic, and material conditions for our use of digital media in memory culture and legal contexts respectively. While the transnationality of memory and of forensic discourse is tied to the mobility and instant accessibility of digital media, there seems to be an increasing awareness of the material and socioeconomic contexts for new mediatized practices. These practices replace an optimistic emphasis on global exchange, unlimited storage, and user-generated content. The transnational exchanges made possible by digital media are connected to other transnational dynamics, for instance those of economics, law, and labour, which leave traces on the environment, in archives, on documents, and on the minds and bodies involved.

### *Forensic Aesthetics*

Thomas Keenan and Eyal Weizman argue that forensic practices are based on an understanding of matter as plastic and in continued transformation, similar to the understanding of memory's matter that is found in memory studies. That memory is plastic is not just a matter of forgetting but rather a dynamic inherent to the cognitive processes of remembering. Moreover, the fact that memory is no longer conceived as a storage space from which knowledge of the past can simply be retrieved, but a complex process involving both internal and external factors, is one reason why testimony is contested and forensics is gaining recognition.<sup>22</sup> Interestingly, forensics shares and depends on the same understanding of objects and people as being plastic and in constant development in relation to their material and sociocultural surroundings for the establishment of sequences and events and the identification of bodies. Objects, bodies, and places are shaped by their histories, which may in turn be decoded from them. "Matter," Weizman writes, "can be regarded as an aesthetic sensorium inasmuch as its mutations register minute transformations, fluctuations, variations, and differences within force fields" (Weizman 2014, 14–15).

According to Keenan and Weizman, forensics can decode the entire history of a life. It can decode not just the moment of death but also "a sequence of illnesses, incidents, and accidents, along with conditions of nutrition, labor, and habit – that is fossilized into the morphology and texture of bones" (Keenan and Weizman 2012). Forensics, then, is based on the same principles that van Dijk and Sutton propose in

relation to memory: material bodies, objects, and places are in constant movement and because of that, the routes they have taken and their conditions and obstacles can (potentially) be decoded from the traces they have left. Weizman describes this beautifully in relation to architecture, his own area of expertise:

Buildings appear static but [...] they are in constant movement: they expand and contract with temperature and with the slow degeneration of materials. Concrete, plaster and other exposed surfaces register transformation in humidity, air quality, salination and sometimes also the abrupt or violent events that happen to them, or next to them. [...] Buildings must be seen as frieze shots in processes of constant formal transformation – they are diagrams of the social fact itself and of the forces and complex flows that are constantly folded into their form. (Weizman 2011, 111)

And here are Keenan and Weizman on bones:

The bones of a skeleton are exposed to life in a similar way that photographic film is exposed to light. A life, understood as an extended set of exposures to a myriad of forces (labour, location, nutrition, violence, and so on) is projected onto a mutating, growing, and contracting negative, which is the body in life. (Keenan and Weizman 2012, 20)

Thus, Weizman suggests that forensic evidence functions within a particular spatiotemporal structure: “The principle of forensics assumes two interrelated sets of spatial relations”. “The first is a relation between an event and the objects in which it is registered, and the second is a relation between the object and the forum that is assembled around it” (Weizman 2011, 105). First of all, then, the forensic scientist assumes that the object has a privileged relation to a certain event in the past, which has at some point left its mark on it. Second, he or she assumes that the object can be made to reveal some of what it “knows” or has witnessed and that this can be conveyed to a contemporary forum. This forum is not only the courtroom or even the laboratory of the forensic scientist but also the cultural sphere where the evidence is received and history is written and evaluated.

While forensics links past and present it also links two contemporary spaces: the site of investigation, the *field*, and the place where the results of an investigation are presented and contested, the *forum*

(Weizman 2014, 9). Both of these sites must, however, be understood as more than mere *locations*. The forum consists, Weizman argues, of three elements: a contested *object or site* (the evidence), an *interpreter* (who can understand and interpret the evidence), and the *assembly of the forum* (Weizman 2014, 9). “The forums to which contemporary forensics are addressed,” Weizman argues, “are not only the actual spaces of the courts; they are often contingent, diffused and networked, created through and by the media, assembled around forensic evidence, and operate across a multiplicity of international institutions” (Weizman 2011, 105). As Schuppli also shows, the forum is “increasingly diffused across a wide spectrum of sites and media forms” (*ibid.*).<sup>23</sup> The field is also not neutral. It is not an “abstract grid” on which traces of a crime can be plotted out, but is rather “dynamic and elastic,” a space that is shaped by conflict and violence and which also shapes the conflict that takes place in the forum.

In *Mengele’s Skull*, Keenan and Weizman suggest that the way we interpret and evaluate evidence is *also* dynamic and depends on the available technologies and media. Our senses and the judgments about our reality that we base on them are in a constant state of development within shifting technological, medial, sociocultural, and material contexts: “The making of facts,” they argue, “depends on a delicate aesthetic balance, on new images made possible by new technologies, not only changing in front of our very eyes, but changing our very eyes – affecting the way that we see and comprehend things” (Keenan and Weizman 2012, 24).<sup>24</sup> Theories on situated remembering and extended cognition support this idea. To understand the function and impact of forensics, we need to recognize and consider the sociocultural context and the media and the technologies that shape it. Central to our contemporary framework for interpreting traces and evidence is the fact that the initial interpreters or mediators of evidence are no longer necessarily human, but often automated or semi-automated technologies of detection and imaging (Weizman 2014, 10). It becomes urgent to reinstate human evaluation and interpretation as central factors in determining the meaning of the evidence. Keenan and Weizman accordingly explain that decisions in law and politics must never be based solely on a mechanical analysis of evidence, for then the decision becomes merely a calculation or mechanical operation. Decisions are (and must be) based also on the human evaluation of evidence as it is presented in the forum of the

court—that is, Keenan and Weizman suggest, on an aesthetic judgment (if not in the traditional sense).

Aesthetics, as the judgment of the senses, is what rearranges the field of options and their perceived likelihood and cuts through probability's economy of calculations. The word conviction thus articulates the legal verdict with the subjective sensation of confirmed belief, of being convinced. (Keenan and Weizman 2012, 24)

Thus, Keenan and Weizman emphasize the forum where evidence is presented and claims are made as the central site of forensic practice, of *forensis*.

The concept of forensic aesthetics combines the sensorial capacity of matter (the fact that matter serves as a sensorium where external factors can be imprinted) and the presentation of it in the forum, and “comes to designate the techniques and technologies by which things are interpreted, presented, and mediated in the forum, that is, the modes and processes by which matter becomes a political agent” (Weizman 2014, 15). It is a critical concept that explores and reverses the forensic gaze and insists on seeing the power structures and complex forces that shape every piece of evidence, its presentation to the public, and its evaluation in the forum.<sup>25</sup> Forensic aesthetics sees the forensic processes of exhumation and analysis of evidence not just as neutral processes of truth-finding but as part of politicized processes, and the concept allows for the analysis of power structures and politics as they are materialized in bodies, buildings, and landscapes.

In this book, I suggest that a forensic narrative mode in literature establishes fora for the evaluation and judgment of evidence, including, for instance, readers, critics, and publishers. On the one hand, the works are written in specific contexts where they present evidence and make claims. But on the other hand, the particular narrative strategies of the forensic mode invite the critical examination of evidence and a reflection on the investigation and interpretation of the narrator. The works establish fora for the presentation of evidence and claim-making and invite reflection, engagement, and debate. Hence, I do *not* analyse the “forensic aesthetics” of the books, that is, their sensorial capacity or ability as objects to address a forum, but rather the way the *narratives* reflect on evidence and on processes of interpretation.

In “Law as Rhetoric, Rhetoric as Law” James Boyd White argues that legal rhetoric is not just about how the case should be decided, but also

about what language and which terms should be used to describe it—and about what kind of community we should establish through our legal conversation. As his title suggests, White’s argument has a chiasmic structure as he claims that any legal argument is also rhetorical. This is true in the sense that legal argumentation tries to establish a particular legal forum with language shaped by particular values in which we evaluate the case in question. Meanwhile any rhetorical act is similarly concerned with creating a community, a forum, and a language through which we can communicate and decide on what laws and values this community is going to take as its own.

Recently scholars in the field of postclassical narratology have argued that literary narratives should be considered from a rhetorical perspective. James Phelan, for instance, has suggested a definition of narrative that emphasizes narrative as a serious and purposeful form of communication between an author and a reader outside the text itself.<sup>26</sup> Richard Walsh similarly contends that fictionality is a communicative resource, a resource that is no less serious or real than any other use of language (Walsh 2007). This rhetorical perspective on narrative allows us to consider the forensic mode (in fiction and nonfiction alike) as a communicative strategy between an author who wishes to make specific claims about the past and to shape our vocabulary and public conversation about it, and a reader who is invited to reflect on and contest the claims made by the narrative. As rhetorical acts of communication, I suggest that these works form part of the shift away from testimony and trauma-writing. They do so by inviting an agonistic and reflexive engagement with the past rather than either a pathological or strictly ethical one informed by trauma theory on the one hand, or a juridical or scientific one denying the importance of human interpretation and valuation on the other.

In this part of the introduction, I have explored the idea of combining theories on cultural memory with recent research on forensics. I have examined how, no matter how digital or transnational we have become, there is no denying the ultimate importance of materiality and the borders, frictions, and clashes that shape us. Memory has not become “unbound” (Levy and Sznajder), but is always embodied and travels (Erll) in and through sociocultural and material contexts shaping them and being shaped along the way. Forensics, as pertaining to the forum, operates within a transnational memory culture in which the material trace, the real remnant of the past, is valued and desired. Forensics is persuasive, then, not only because it seems to deliver scientific proof but

also because its objects are those authentic traces of the past and those true victims of atrocity which, as Primo Levi says, are in fact not the survivors and witnesses, but the dead. The forensic narrative mode grows out of a forensic memory culture but tends to be sceptical about the persuasive force of both science and material trace.

### PART III: THE ARGUMENT

In this book, I investigate a particular literary mode that challenges the aesthetics of testimony by approaching the past through detection, analysis and “archaeological” digging. How does contemporary literature resonate with the developments at stake in a “forensic” memory culture? And how can a “forensic” narrative mode engage with, and potentially challenge, a forensic paradigm that aims to eliminate the problems related to human testimony through scientific objectivity? I argue that forensics inherits many of the issues related to testimony. Because the scientific method of forensics lays claim to detachment and objectivity, it has particular persuasive power. This power is accentuated by the adoption of the ethical claim of testimony as bones and bodies supposedly bear witness through the interpretation of the scientist. I then ask whether literature’s potential for exploring the mechanisms of representation, interpretation, and narration may provide a critical lens through which the interpretation of evidence can be viewed and testimony can be reconsidered, not just as an ethical mode of address but also as a judicial genre and historical source that can be subjected to cross-examination and scrutiny.

This book is concerned with the challenges encountered when violence and conflict are explored in science and cultural artefacts. Pursuing these questions is important to current debates about justice, human rights, and the politics of intervention and emergency relief. I further maintain that it is also of consequence to broader questions about our faith in scientific discourse and in oral testimony. I propose that the forensic narrative mode in literature challenges the way forensic scientists engage with evidence. It also challenges the discourse of trauma inherited from the “era of testimony” which survives in the way human remains are presented in the courtroom and in the public sphere through—and scaffolded by—forensic practices.

Forensic works insist on engaging with the past not (or not primarily!) because of an ethical imperative to speak on behalf of the victims but

rather in order to introduce into the public domain claims that are, first and foremost, *political* about the legacy of the past. Discussing the forensic mode in terms of Astrid Erll's modes of remembering in literature (Erll 2008), I argue that while the forensic mode is reflexive in the way it approaches the traces and remnants of the past, it is also *agonistic* since the works insist on addressing the conflictual nature of the events they investigate and of the investigation itself.

### *Limitations, Material, and Methodology*

Much of literary history deals with law, trials, transgression of norms, and the workings of justice and power. Most famously, perhaps, Kafka's *The Trial* deals with the claustrophobic inaccessibility of judicial bureaucracy (see for instance Dolin 2011, 228). Forensics, as Keenan and Weizman remind us, refers to and is specifically concerned with the forum of the court where the trajectories of many different actors intersect, where evidence is presented and cross-examined, and where the preconditions for conviction are negotiated according to obscure legal mechanisms. The interest of forensic literature is not, however, to portray the experience of being caught in the impenetrable networks of power. It is rather to investigate or follow the traces of the past through the frictions created by the materials and organizational structures encountered on the way. Additionally, the forensic mode explores the way evidence can be used when making sense of the past, how it sometimes cannot, and how any image or narrative invariably changes not just with the presentation of new evidence but also with slight adjustments of its presentation to a forum.<sup>27</sup> In these works, power over historical memory is not located within an inaccessible unidentifiable power structure but is explored as a process of meaning making in a wider cultural context where the events in question are represented and where representations are circulated and evaluated.

The prominence of forensic discourses today is evident from a broader cultural interest in forensics and detection that can be observed in popular culture. Here spiralling DNA, bones studied under microscopes by scientists in white lab coats, and pseudo-scientific terminology dominate crime fiction particularly on television, which is witnessing a new golden era of the series format. This is not a book about crime fiction, however. Even though much contemporary crime fiction thematizes forensics, and even though the decoding of the traces and signs of past transgression are

intrinsic to that genre, the works I will be discussing in the course of the following chapters have a different ancestry. There are, nonetheless, a few points that I want to make at this point in relation to memory narratives and crime fiction. As Tvezan Todorov has argued, detective fiction traditionally consists of two plots (Todorov 1977, 44). One of the crime and one of detection; one is in the past and the other in the present. Spanning genres as diverse as tragic drama (think of, for instance, Oedipus or Hamlet) and popular crime fiction, detection as a theme and a plot generator has a long literary history. The works I address in this book are largely works of investigation (though more historical than criminal). They read signs and they bring the reader along for the ride, often creating a sense of suspense and curiosity. There is no clear-cut “who-dunnit” solution to the mystery, though, but rather an open-ended invitation to interpret, evaluate, and possibly pass judgment based on the investigation, the aesthetic presentation, and the performance of evidence. The forensic works are intensely aware of the distance they have to overcome in order to engage with events in the past. While the processes of detection in the present are usually overshadowed by the past, there is a clear concern with the problems of sign reading and the interpretation of evidence.

In “The Slaughterhouse of Literature,” Franco Moretti argues that the invention of the clue happened in a period characterized by a “growing scepticism about the reliability of witnesses, and the parallel insistence on ‘objective’ evidence.” This passage could also describe a development taking place more than 100 years later. Moretti shows that while the clue was originally invented by Arthur Conan Doyle in his stories about Sherlock Holmes, Conan Doyle did not use it as a way of including the reader in the game of detection. Rather, he used it only as an explanation for Holmes’ particular genius—an explanation that resonated well with what was brewing in scientific communities and in popular culture at the time. Later works in the genre (Agatha Christie would be the prime example) make the clues decodable to the reader, challenging them to solve the puzzle and play a game of hide-and-seek with the murderer. Thus because of the clue, “each sentence becomes ‘significant’, each character ‘interesting’; descriptions lose their inertia; all words become sharper, stranger” (Moretti 2000, 218). Moretti invokes Todorov’s description of detective fiction, suggesting that the two plots do meet—and that they do so in the “clue.”

The structure of detective fiction accordingly resembles the structure of forensics as conceptualized by Keenan and Weizman. The clue here



is the piece of suggestive evidence that is somehow shaped by the crime and that can be decoded in the process of detection. It holds “an incredibly central position, where the past is suddenly in touch with the present; a hinge that joins the two halves together, turning the story into something more than the sum of its parts: a structure” (Moretti 2000, 218). The *forensic* clue, however, is not immediately decipherable to the reader. It refuses simple decoding because it potentially testifies to *all* of the complex historical factors and forces that have shaped it. Yet it remains enigmatically forceful as it suggests inherent knowledge and invites the reader to look for answers that the clue itself leaves inaccessible. In Moretti’s terms, the forensic clues are *visible*—their visibility is often even accentuated—but in the literary works that concern me here, they are not always *necessary* and not immediately *decodable* (see Moretti 2000, Fig. 2, p. 219). Thus, everything still becomes “sharper, stranger” as the forensic clue claims to hold the key to the past. Yet the process of detection is re-mystified as the reader faces the enigmatic silence of the forensic object. This technique lends urgency to the entire narrative, as the presence of these clues suggests that every little detail counts and that every little piece of knowledge may be the hinge that will connect past and present.

One final delimitation in relation to the forensic narrative mode concerns historiographic metafiction. As Linda Hutcheon argues, the postmodern genre of historiographic metafiction “asks us to recall that history and fiction are in themselves historical terms and that their definitions and interrelations are historically determined” (Hutcheon 2005, 105). This could perhaps also be said of the forensic narrative, which is clearly artistic and aesthetically self-conscious, yet unwilling to establish firm distinctions between fiction and nonfictional engagements with history. Forensic literature certainly owes a debt to historiographic metafiction since it inherits from postmodern literature an interest in problematizing the nature of historical knowledge. As Hutcheon declares, “postmodern fiction,” and, I would argue, this goes for literature written in the forensic mode as well, “suggests that to re-write or to re-present the past in fiction and in history is, in both cases, to open it up to the present, to prevent it from being conclusive and teleological” (Hutcheon 2005, 110). Conversely, the forensic mode shares with *testimony* a sincerity and a sense of urgency in relation to the historical past that is being presented. On this point the forensic mode differs radically from historiographic metafiction.

I have chosen Göran Rosenberg's *A Brief Stop on the Road from Auschwitz*, Aleksandar Hemon's *The Lazarus Project*, Javier Cercas' *The Anatomy of a Moment*, and Joseph O'Neill's *Blood-Dark Track* as my main cases because each is written in the forensic mode, but also because they illustrate different representational strategies within it. Whereas Hemon's book is a work of fiction that relies heavily on archival and autobiographical material, Rosenberg's and O'Neill's books are family history and Cercas' is a piece of artistic history writing. The forensic mode can be present across a variety of genres, and while it is primarily found in works of nonfiction, it is not limited to them.<sup>28</sup> The framing of a work as belonging to a certain genre is important to the way the forensic mode functions in that particular work. Whether the works set out to create new knowledge by uncovering a lost piece of family history (Rosenberg, O'Neill), to reinterpret a familiar but controversial event of national history (Cercas), or to use fictionality to immerse the reader in imagining the past in relation to contemporary values and conflicts (Hemon), the claims they make in the fora they establish and the responses they invite are very different. Across genres, the forensic mode relies on a narrator who is, to some extent, connected to the author. Yet genre remains very important to how we interpret the author's involvement.

The four works address historical events of the twentieth century which have to some extent been (re)evaluated in recent years on the basis of forensic exhumations: World War II and the Holocaust, the Yugoslav Wars, the Irish Civil War and the Troubles, and the Spanish Civil War and Franco's dictatorship. Thus, while they all belong to a Western literary tradition and relate to modern European history, they also represent a certain cultural and linguistic breadth. Rosenberg and Cercas engage with the totalitarianisms of German Nazism and Francoism in Spain (two of the twentieth century's major historical tragedies), which serve as paradigmatic cases of testimony and forensics respectively. Hemon and O'Neill represent a "horizontal" axis because they deal not only with historical events (and their legacies), but also with contemporary conflicts and controversies, testimonies to which are immediately available. O'Neill, furthermore, explores a synchronic axis *within* his historical material linking events in Turkey/Palestine and Ireland around and during World War II.<sup>29</sup>

In choosing these four cases, I aim for analytical depth and detail rather than to represent the breadth of the field. While my readings

of the books support my claim that a forensic mode of writing can be observed in contemporary literature after 2000, they are not meant simply to serve as exemplary instances of it. I do highlight their similarities (in terms of what makes them all “forensic”), but the aim of the in-depth analyses is primarily to explore the differences in the ways the books engage with the issues raised by the hypotheses. That is, I discuss how these particular literary works engage in various ways with the tension between testimony and forensics, how they provide different perspectives on the investigation and interpretation of evidence, and how they use different narrative strategies to present their claims to the forum.

### *Structure*

Beginning with the paradigmatic case of the “era of testimony,” in Chap. 2, I analyse Göran Rosenberg’s *A Brief Stop on the Road from Auschwitz* (2012). Rosenberg’s book is a family memoir dealing with the legacy of the Holocaust which states the case that writing this legacy today may require a strategy that goes beyond testimony. The analysis, however, reintroduces testimony as one forensic genre and explores how it functions within the forensic framework. I read Rosenberg against the backdrop of the history of testimony in international law since World War II and in the context of the recent critique of trauma theory, which I discuss in the chapter’s theoretical introduction. As Rosenberg’s book deals specifically with a traumatized parent and a missing testimony, Marianne Hirsch’s concept of postmemory provides a logical framework within which to place it. I argue, however, that Hirsch’s concept carries a legacy of theorizations of trauma that have been criticized in recent years and are largely absent from historically oriented forensic work. Hence, in this chapter I focus on the forensic work by relating it to testimony, which is nevertheless an important frame of reference to the forensic work. I engage primarily with the first and second hypotheses.

In Chap. 3, I analyse Aleksandar Hemon’s *The Lazarus Project*, which addresses the question of evidence. Hemon’s novel revolves around a murder that took place in the early twentieth century, and directly addresses early forensic practices. Exploring the way archives, places, and people are in constant motion, leaving traces and being traced, Hemon’s novel criticizes a simplistic forensic approach that mechanically translates physical traces into political or ethnic characteristics, rather than excavating layers of identity and experience. *The Lazarus Project* weaves the

story of the young Jew Lazarus Averbuch, who is killed because of his ethnic characteristics, into reflections on contemporary conflicts, including the wars in Bosnia and Iraq. Through the connection between disparate times and places, Hemon suggests that we tend to overlook the extent to which we still judge each other by signs on the surface of our bodies. I discuss Hemon's novel in relation to the emergence of the forensic sciences, and I take as a point of departure a parallel between concerns with risk and recognition of danger at the end of the nineteenth century *and* at the beginning of the twenty-first. At the beginning of the chapter, I also discuss the use and development of visual evidence in early forensic practices as it relates to the function of photography and visual media in (forensic) literature. In the courtroom, photographic evidence is admissible only upon adequate verbal authentication by witnesses, so it is and always has been emphatically dependent on human expertise and evaluation (see Mnookin 2008). In literature, the opposite seems to be true: the inclusion of visual "evidence," particularly photographs, challenges the fictional status of the work and seems to authenticate the written text, though often in ambiguous ways. The photograph's status as both illustration and evidence is discussed both in a legal and aesthetic framework. In this chapter, I engage with the third hypothesis.

In these two chapters, I relate a forensic shift to two different historical frameworks: the "era of testimony," and early forensic science. I discuss two central resources within the forensic narrative mode: testimony and visual evidence. In Chap. 4, I specifically discuss the forensic narrative mode, arguing that while this mode has much in common with Astrid Erll's "reflexive mode," it is oriented towards the conflictual nature of history. I propose Chantal Mouffe's concept of agonism to describe the political aspect of the mode of remembering elicited by these narratives.

In the first part of the chapter, I discuss Javier Cercas' *The Anatomy of a Moment*, a book which brings us to Spain, arguably the paradigmatic case of the forensic era. While the "forensic truth"<sup>30</sup> about Spain's recent history may be emerging (or dug out), a clear-cut evaluation of these events is complicated and remains in a judicial vacuum. Exploring the Spanish transition to democracy, *The Anatomy of a Moment* demonstrates the complexity of evaluating historical events. Here each layer of the narrative complicates the picture, showing how the pieces of the puzzle fit together, but also how, through a slight change of perspective, the image

shifts. As a consequence, the book questions any mechanical evaluation of the recent history of Spain (which tends to distinguish clearly between good and bad, left and right) and instead performs different modes of address and demands nuanced interpretation, evaluation, and judgment of the political situation in Spain after Francoism. In doing so, however, it addresses a specific forum of readers, a Spanish public and particularly the intellectual left that is critical of the transition and the so-called “pact of silence.” My analysis focuses on the way the book presents its—controversial—claims to the forum, which it to some extent performs or establishes.

In the second part of the chapter, I analyse Joseph O’Neill’s *Blood-Dark Track*, a family history that investigates the imprisonment of the author’s grandfathers in Palestine and Ireland during World War II. While the analysis of Cercas’ book focused on claim-making and the forum, in the analysis of O’Neill’s family history, I explore how new evidence and new angles and trajectories through the *field* of investigation cause the patterns to shift, emphasizing the complexity of historical events and the importance of human emotion, experience, and values in interpreting them. I discuss the role of the narrator as investigator and the related question of the function of genre. The aim of this chapter is to understand how the forensic mode functions in terms of eliciting a particular mode of remembering in its audience. While testimony invites the ethical act of recognition of the victim’s perspective, forensic work invites contestation, critical debate, and political engagement.

## NOTES

1. See for instance Weizman (2011, 2012, 2013, and 2014); Ferrándiz (2013, 39), and Layla Renshaw (2011, 11).
2. Notable exceptions include Francisco Ferrándiz, Layla Renshaw and Alison Ribeiro de Menezes (2014) who all address the exhumations in Spain and their relation to memory work. Zoë Crossland (2000), Sarah E. Wagner (2008) and Victoria Sanford (2003) also comment on the connection in relation to exhumations in Argentina, Bosnia, and Guatemala respectively.
3. Early forerunners can be found before this time (W.G. Sebald is the prime example), but the forensic mode has largely come into being since the turn of the millennium. There are several reasons for this. In relation to the forensic shift in memory culture, the temporal distance from World War II and the slow disappearance of the last of the witnesses are

relevant, as well as the increasing importance of forensic exhumation in relation to war and genocide through the 1990s. 9/11 is also an important factor—the terrorist attack that decisively ended the idea that violent conflict in the heart of Western society was a thing of the past. Guilt and implication had to be recognized as more complex with the event in New York and the wars that followed. Thus intimate trauma narratives, which thrived in the 1990s and dominated American engagements with 9/11 (see for instance Bond 2015), and postmodern engagements with histories of violence in literature did not satisfy the need for critical, reflexive, and sincere engagements with the past. The tendency to mix media and challenge the dominance of the written word in an increasingly media-tized aesthetic field could also be mentioned here.

4. Where non-English titles are given, the work is not translated into English.
5. During the dictatorship, and in the 1970s and 1980s after Franco's death, exhumations also took place. They were, however, unofficial, local and not covered by national media. They were carried out by family members and other locals, not by professional forensics teams, and the identification of victims depended on simple recognition of belongings or extraordinary physical traits—and guesswork. Scientifically established identification did not happen—and was not considered particularly important. Unidentified victims were even distributed across villages, so each got the appropriate number back, regardless of the fact that the individuals were not identified. The goal was a dignified burial rather than political recognition or reparations. Thus, these exhumations coexisted peacefully with the post-Francoism "pact of silence" that put political pragmatism before historical justice. In October 2000, the contemporary wave of exhumations ("the latest chapter in Spain's Civil War necropolitics," as Francisco Ferrándiz has it) was initiated by journalist and sociologist Emilio Silva as he organized the exhumation of a Republican grave in Priaranza del Bierzo. For the first time, technical experts participated (Ferrándiz 2013, 41).
6. Layla Renshaw lists a number of reasons why the exhumation and identification of victims is evaluated positively in contemporary culture. These include a claim to objectivity connected to material evidence and systematic forensic investigation, which resonates with a "narrative of technical and scientific progress" (Renshaw 2011, 11) as well as with a fascination with crime fiction "that detail[s] these cutting-edge technical capabilities."
7. In 2008, Judge Baltasar Garzón received much media attention when he issued a judicial indictment of Francoism, which relied on aspects of international human rights law applying to the Spanish case. The Spanish

- judiciary, however, countered Garzón's recourse to international justice, and he was forced to recognize his lack of jurisdiction and rescind the indictment (Ferrándiz 2013).
8. In *Tourists of History* (2007), Marita Sturken describes the same problem: "[the] dust was initially understood as a substance that had to be cleaned away so that life could continue and as an impediment to moving forward. It was also quickly experienced as a form of contamination [...] Soon, though, the dust was imbued with new meanings. Once it became clear that very few people had survived the cataclysmic collapse of the two buildings, the dust was defined not simply as the refuse of the towers' collapse, but as the material remains of the bodies of the dead" (Sturken 2007, 178).
  9. David Irving filed a libel suit against Deborah Lipstadt and Penguin Books in 1996 because of her book *Denying the Holocaust* first published in 1993 (Lipstadt 1994), in which she referred to Irving as a spokesperson for Holocaust denial. The judge ruled in favour of the defendants, stating, "In my view the Defendants have established that Irving has a political agenda. It is one which, it is legitimate to infer, disposes him, where he deems it necessary, to manipulate the historical record in order to make it conform with his political beliefs." *David Irving v. Penguin Books UK and Deborah Lipstadt*. Judgment of Mr Justice Charles Gray 13.162. (Tam Institute for Jewish Studies 2016).
  10. Van Pelt's evidence led to an investigation conducted by Harry W. Mazal and his team. See Keren et al. (2004).
  11. In his introduction to Eric Stover and Gilles Peress' *The Graves* (1998), Justice Richard Goldstone similarly notes that "[t]he work of forensic scientists is [...] important for its recording of history and because it makes denial of war crimes difficult, if not impossible" (Stover and Peress 1998, 10).
  12. See for instance the epidemic of "recovered memory syndrome" cases in the 1990s. Research later showed no evidence of the existence of such a syndrome (Strange et al. 2007). Rather, it seemed likely that it was really (unconsciously) invented memories, provoked by popular psychoanalysis and self-help books.
  13. Ironically, this idea seems to have been introduced first in the troubling shape of Nazi propaganda: making an effort to divide the Allies, Germany invited an international forensics team to Katyn Forrest in Poland, where the evidence of the massacre of more than 4000 Polish POWs rested in eight mass graves. The massacre took place in the spring of 1940 when the territory was in Soviet hands and in 1943 Goebbels announced that the Soviets were responsible. Two days later the Soviets blamed the Germans. The Independent International Commission was invited and was allowed to perform independent autopsies and interviews

with locals. The evidence did indeed point towards the Soviets even though a later report by the Soviets themselves tried to discredit this. In the Nuremberg trials, Katyn re-emerged as a Nazi war crime, but the charges were dropped (see for instance Gould 2007, 155–160 and Ferllini 2003, 119–222).

14. In investigations by the research group Forensic Architecture, led by Weizman, testimony also returns as a valuable resource. Witnesses form the basis of their architectural research on both Black Friday in Rafah, Gaza, and on Saydnaya, the Syrian torture prison. See Forensic Architecture. 2011–2015. Investigations.
15. The particular status of testimony in memory culture, which has always been related to the Holocaust, must be reconsidered as there is hardly anyone left alive to bear witness to World War II. In Daniel Mendelsohn's nonfiction family history, *The Lost* (2008), we see this development rapidly happening. Of his interviewees, eight had passed away by the time the book was published (Mendelsohn 2008, 505). The Danish edition from 2012, this number had risen to ten dead between 2004 and 2010 (Mendelsohn 2012, 642).
16. Weizman suggests that the forensic listening of psychologists or linguists, which aims to find the "truth about the subject in the objectified qualities of the body," echoes the early criminologists and their "outmoded and politically suspect practices" (Weizman 2014, 22). Weizman here opens up the issue of the legacies of early forensic science in contemporary forensics, which I explore further in Chap. 2.
17. Defining the concept of "field causality" Weizman continues: "Establishing field causalities requires the examination of force fields, causal ecologies, that are nonlinear, diffused, simultaneous, and involve multiple agencies and feedback loops. Whereas linear causality entails a focus on sequences of causal events, field causality involves the spatial arrangement of simultaneous sites, actions, and causes" (Weizman 2014, 27).
18. For an example of this dating back to antiquity (see Hedrick 2000).
19. See for instance the extended mind thesis put forward by Andy Clark and David Chalmers (Clark and Chalmers 1998), according to which "mental states and processes can spread across physical, social and cultural environments as well as bodies and brains" (Sutton 2005).
20. In Srebrenica, the repeated reburials by the Serbian forces scattered the remains of the individual bodies across a large geographical area. When the bodies were exhumed they had to be reassembled through the analysis of soil types and DNA. Consequently, it had to be decided how much bone mass of a body constituted a single individual worthy of reburial.
21. Francisco Ferrándiz and Alejandro Baer explain how the various kinds of digital recording taking place in relation to the Spanish exhumations



- (by onlookers, relatives, journalists, and forensic experts) create a schism between objections to the undignified representation of dead victims and mourning relatives, and a commitment to making visible the violence to which they were exposed (Ferrándiz and Baer 2008). Expressions of grief and the vulnerability of the human remains call for respectful distance, even while the visibility of this vulnerability is central to the rhetorical force of the exhumations. That the digitalized human remains become part of memorialization processes and rituals (Ferrándiz 2013, 48) further complicates the relation between materiality and digital media.
22. Discussing extended cognition in relation to remembering, Sutton, Harris, Keil, and Barnier comment that, while in judicial contexts individual “uncontaminated” remembering may be seen as the golden standard (as the memory of a specific event has not been influenced by external factors), “values like truth, accuracy, and fidelity are complex and context-sensitive: our attempts to be faithful to the past, or to retain integrity in dealing with it, can just as easily be scaffolded and facilitated as disrupted by other people, because sharing and renegotiating the past in company is a mundane and significant feature of our lives” (Sutton et al. 2010, 25).
  23. According to Weizman, the fact that some of the tribunals (of the ICTY) “inhabit improvised or rented offices, community and sports halls [...] demonstrates the extent to which their physical setting is secondary to their function as media environments” (Weizman 2014, 20). As face-to-face interaction is replaced by screens, traditional legal principles have to be adapted accordingly. For instance in the genocide trial against François Bazaramba, the principle of *habeas corpus* (demanding the physical presence of the accused in the court room) was “reinterpreted as the threshold condition of various technologies – bandwidth, resolution, and automatic light detectors – that would allow the remotely assembled court to see a person blush or sweat” (Weizman 2014, 21).
  24. In her book *Phantasmatic Knowledge* (2013) Susanne Scholz comments on the “establishment and naturalisation of categories and types in the viewer’s gaze” brought about by photography in Victorian culture. “The viewer’s eyes,” she suggests, “visually socialized by immersion in a culture of photographic images, of mug shots, ethnographic photographs, composites and others, abstracts generic pictures from every item of visual information he or she can get hold of. Put inversely, every item of visual information is made sense of in the light of these (naturalised) generic images” (Scholz 2013, 97–98).
  25. Thus, Weizman tentatively suggests that “the adequate forums for dealing with field causalities might not be found in the juridical but rather the political domain” (Weizman 2014, 29). The research project on forensic

architecture at Goldsmiths in which Weizman, Schuppli, and Keenan are involved goes one step further. Their research practice also establishes fora around material objects and makes them speak of the power structures that left their mark on them (see Weizman 2014, 20) and interrogate the way contemporary forms of evidence affects legal and political processes. Thus, they practise a form of “counter-forensics.”

26. “To provide a frame for our consideration of narrative as rhetoric, I offer the following definition: narrative is somebody telling somebody else on some occasion and for some purpose or purposes that something happened. I emphasize that this definition is my effort, not to get as close as possible to the Platonic Ideal definition of narrative (I do not believe in such an Ideal), but to direct our attention to tellers, audiences, and purposes as much as to the “something that happened.” In this way, I suggest, the rhetorical approach is interested in narrative as an act of telling that has designs on its audience” (Phelan 2009, 219).
27. A contemporary portrait of the juridical system, which seems to carry the legacy of Kafka would rather be the TV series *The Wire*, where bureaucracy (even within drug-dealing gangs) seems to hinder every chance of changing the status quo.
28. I would even argue that trying to tease out this forensic mode reveals that contemporary literature may be moving beyond a clear generic divide between fiction and nonfiction.
29. All four works are written by male authors. At one stage this reflected the material I found. Later, I hunted down several examples of female authors writing in the forensic mode (and one example of a male author, who wrote the book *Invasionen* (2016) based on an artistic intervention in the refugee trail from Syria, where he played the part of the woman “Madame Nielsen”). Thus, the forensic mode is not, as I once suspected, a masculinist mode.
30. See the distinction between different types or levels of truth in the South African TRC report. Here the “forensic truth,” referring to the facts that can be established at micro-level, is contrasted with “narrative truth” (referring to individual subjective experiences), “social truth” (referring to “the truth of experience that is established through interaction, discussion and debate”), and “reconciliatory truth” (the kind of truth that places facts and what they mean within the context of human relationships—both amongst citizens and between the state and its citizens) (Department of Justice and Constitutional Development 2009). The TRC places emphasis on the importance of the healing and reconciliatory potential of narrative, stating that the forensic truth does not suffice: “It was not enough simply to determine what had happened. Truth as factual, objective information cannot be divorced from the way in which this

information is acquired; nor can such information be separated from the purposes it is required to serve” (ibid.).

## REFERENCES

- Bond, Lucy. 2015. *Frames of Memory After 9/11*. Basingstoke: Palgrave Macmillan.
- Bull, Anna Cento, and Hans Lauge Hansen. 2015. On Agonistic Memory. *Memory Studies* 9 (4): 390–404.
- Cercas, Javier. 2012. *The Anatomy of a Moment*. London: Bloomsbury.
- Cesari, Chiara De, and Ann Rigney. 2014. Introduction. In *Transnational Memory: Circulation, Articulation, Scales*, ed. C. De Cesari and A. Rigney. Berlin: Walter de Gruyter.
- Çetin, Fethiye. 2012. *My Grandmother: An Armenian-Turkish Memoir*. New York: Verso.
- Clark, Andy, and David Chalmers. 1998. The Extended Mind. *Analysis* 58: 7–19.
- Clausbeck-nielsen.net. 2008. Selvmordsaktionen, Gyldendal.
- Crossland, Zoë. 2000. Buried Lives. *Archaeological Dialogues* 7 (2): 146–159.
- Damsgård, Puk. 2015. *Ser du Månen, Daniel*. Copenhagen: Politikens Forlag.
- Damsgård, Puk. 2016. *The Isis Hostage*. London: Atlantic Books.
- Desbois, Patrick. 2008. *Holocaust by Bullets*. New York: St. Martin’s Griffin.
- Domanska, Eva. 2017 Forthcoming. Dehumanization Through Decomposition and the Force of Law. In *Mapping the ‘Forensic Turn’: The Engagements with Materialities of Mass Death in Holocaust Studies and Beyond*, ed. Z. Dziuban. Vienna: New Academic Press.
- Eggers, Dave. 2010. *Zeitoun*. London: Penguin Books.
- Erll, Astrid. 2008. Literature, Film, and the Mediality of Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Erll, Astrid. 2011a. *Memory in Culture*. Basingstoke: Palgrave Macmillan.
- Erll, Astrid. 2011b. Travelling Memory. *Parallax* 17/4.
- Ferllini, R. 2003. The Development of Human Rights Investigations Since 1945. *Science and Justice* 43 (4): 219–224.
- Ferllini, R. 2007. *Forensic Archaeology and Human Rights Violations*. Springfield, IL: Charles C. Thomas.
- Ferrándiz, Francisco. 2013. Exhuming the Defeated: Civil War Mass Graves in 21st-Century Spain. *American Ethnologist* 40 (1): 38–54.
- Ferrándiz, Francisco and Alejandro Baer. 2008. Digital Memory: The Visual Recording of Mass Grave Exhumations in Contemporary Spain. *Forum Qualitative Sozialforschung* 9 (3).
- Gommesen, Lars Bedsted. 2003. *Alt blev Hvidt*. Aarhus: Turbine Forlaget.

- Gould, Richard A. 2007. *Disaster Archaeology*. Salt Lake City: University of Utah Press.
- Hasian, Marouf Jr. 2001. The Advent of Critical Memory Studies and the Future of Legal Argumentation. *Argumentation and Advocacy* 38 (1): 40.
- Hedrick, Charles. 2000. *History and Silence*. Austin: University of Texas Press.
- Hemon, Aleksandar. 2008. *The Lazarus Project*. New York: Picador.
- Hertmans, Stefan. 2016. *War and Turpentine*. New York: Pantheon.
- Hirst, William and Gerald Echterhoff. 2012. Remembering in Conversations: The Social Sharing and Reshaping of Memories. *Annual Review of Psychology* 63: 55–79.
- Hutcheon, Linda. 2005. *A Poetics of Postmodernism: History, Theory, Fiction*. New York: Routledge.
- Huyssen, Andreas. 2003. *Present Pasts—Urban Palimpsests and the Politics of Memory*. Stanford: Stanford University Press.
- Huyssen, Andreas. 2006. Nostalgia for Ruins. *Grey Room* 23: 6–21.
- Jessee, Erin. 2012. Promoting Reconciliation through Exhuming and Identifying Victims in the Rwandan Genocide. In CIGI-Africa Discussion Paper Series 4, Africa Initiative and The Centre for International Governance Innovation.
- Judt, Tony. 2009. *Reappraisals—Reflections on the Forgotten 20th Century*. New York: Penguin Books.
- Keenan, Thomas, and Eyal Weizman. 2012. *Mengele’s Skull*. Portikus: Sternberg Press.
- Keren, Daniel, Jamie McCarthy, and Harry Mazal. 2004. The Ruins of the gas chambers: A forensic investigation of crematoriums at Auschwitz I and Auschwitz-Birkenau. *Holocaust and Genocide Studies*, 18 (1): 68–103.
- Knudsen, Britta Timm. 2011. Thanatourism: Witnessing Difficult Pasts. *Tourist Studies* 11 (1): 55–72.
- Koppel, Jonathan and William Hirst. 2010. The Role of Conversations in Shaping Individual and Collective Memory, Attitudes and Behavior. In *Memory and the Future—Transnational Politics, Ethics and Society*, ed. Y. Gutman, A. Brown and A. Sodaro. Basingstoke: Palgrave Macmillan.
- Langvad, Maja Lee. 2006. *Find Holger Danske*. Copenhagen: Borgen.
- Levy, Daniel and Natan Sznaider. 2002. Memory unbound: The Holocaust and the formation of cosmopolitan memory. *European Journal of Social Theory*, 5: 87–106.
- Lipstadt, Deborah. 1994. *Denying the Holocaust - The Growing Assault on truth and memory*. New York: Plume by Penguin Books.
- Lothe, Jakob, Susan Rubin Suleiman, and James Phelan. 2012. *After Testimony—The Ethics and Aesthetics of Holocaust Narratives for the Future*. Columbus: The Ohio state University Press.
- Madame Nielsen. 2016. *Invasionen*, Gyldendal.
- Mendelsohn, Daniel. 2008. *The Lost*. London: Harper Perennial.
- Mendelsohn, Daniel. 2012. *De Mistede*. Copenhagen: Gyldendal.

- Mnookin, Jennifer L. 2008. The Image of Truth: Photographic Evidence and the Power of Analogy. *Yale Journal of Law and the Humanities* 10: 1.
- Moretti, Franco. 2000. The Slaughterhouse of Literature. *Modern Language Quarterly* 61 (1): 207–227.
- Nielsen, Madame. 2016. *Invasjonen. En fremmed i flyktningestrømmen*. Oslo: Gyldendal.
- O'Neill, Joseph. 2009. *Blood-Dark Track*. London: Fourth Estate.
- Pamuk, Orhan. 2006. *Istanbul – Memories and the City*. London: Faber and Faber.
- Pellegrino, Charles. 2010. *The Last Train from Hiroshima*. New York: Henry Holt and Company.
- Phelan, James. 2009. Teaching Narrative as Rhetoric. *Pedagogy: Critical Approaches to Teaching Literature, Language, Composition, and Culture* 10 (1): 217–228.
- Pison, Ignacio Martinez de. 2009. *To Bury the Dead*. Cardigan: Parthian.
- Reading, Anna. 2014. Seeing Red: A Political Economy of Digital Memory. *Media, Culture and Society* 36: 748.
- Renshaw, Layla. 2011. *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War*. Walnut Creek, CA: Left Coast Press.
- Ribeiro de Menezes, Alison. 2014. *Embodying Memory in Contemporary Spain*. Basingstoke: Palgrave Macmillan.
- Rosenberg, Göran. 2014. *A Brief Stop on the Road from Auschwitz*. London: Granta Publications.
- Rothberg, Michael. 2009. *Multidirectional Memory—Remembering the Holocaust in the Age of Decolonization*. Stanford: Stanford University Press.
- Rothberg, Michael. 2003. Memory Bound: The Implicated Subject and the Legacies of Slavery. Lecture at the Mnemonics Conference *Memory Unbound: Transcultural, Transgenerational, Transmedial, and Transdisciplinary Dynamics of Memory*, Ghent, 10 September 2013.
- Rothberg, Michael. 2014. Multidirectional memory in migratory settings: The case of Post-Holocaust Germany. In *Transnational Memory: Circulation, Articulation, Scales*, ed. Cesari and Rigney, Berlin: Walter de Gruyter.
- Sanford, Victoria. 2003. *Buried Stories: Truth and Human Rights in Guatemala*. Basingstoke: Palgrave Macmillan.
- Scholz, Susanne. 2013. *Phantasmatic Knowledge—Visions of the Human and the Scientific Gaze in English Literature, 1880–1930*. Heidelberg: Universitätsverlag Winter Heidelberg.
- Schuppli, Susan. 2014. Entering evidence: Cross-examining the court records of the ICTY. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press, 279–316.
- Søbye, Esben. 2005. *Kathe, Alltid vært i Norge*. Oslo: Forlaget Oktober.
- Stone, Charles B., Amanda J. Barnier, John Sutton, and William Hirst. 2009. Building Consensus About the Past: Schema Consistency and Convergence in Socially Shared Retrieval-induced Forgetting. *Memory* 18 (2): 170–184.
- Stover, Eric, and Gilles Peress. 1998. *The Graves—Srebrenica and Vukovar*. Zurich: Scalo.

- Strange, Deryn, Seema Clifasefi, and Maryanne Garry. 2007. False Memories. In *Do Justice and Let the Sky Fall: Elizabeth Loftus and Her Contributions to Science, Law, and Academic Freedom*, ed. Maryanne Garry and Harlene Hayne. Mahwah, New Jersey: Lawrence Erlbaum Associates, Publishers.
- Sturken, Marita. 2007. *Tourists of History—Memory, Kitsch, and Consumerism from Oklahoma City to Ground Zero*. Durham: Duke University Press.
- Sutton, John. 2005. Memory and the extended mind: embodiment, cognition, and culture. *Cognitive Processing* 6: 223–226.
- Sutton, John. 2008. Remembering. In *Cambridge Handbook of Situated Cognition*, ed. P. Robbins and M. Aydede. Cambridge: Cambridge University Press.
- Sutton, John, Celia B. Harris, Paul G. Keil and Amanda Barnier. 2010. The psychology of memory, extended cognition, and socially distributed remembering. Springer Science+Business Media B.V. Available at: <http://hdl.handle.net/1959.14/120064>.
- Todorov, Tzvetan. 1977. *The Poetics of Prose*. Oxford: Basil Blackwell.
- van Dijck, José. 2007. *Mediated Memories in the Digital Age*. Stanford: Stanford University Press.
- Verdery, Katherine. 1999. *The Political Lives of Dead Bodies—Reburial and Socialist Change*. New York: Columbia University Press.
- Wagner, Sarah E. 2008. *To Know Where He Lies: DNA Technology and the Search for Srebrenica's Missing*. Berkeley: University of California Press.
- Walsh, Richard. 2007. *The Rhetoric of Fictionality*. Columbus: Ohio State University Press.
- Weizman, Eyal. 2011. *The Least of all Possible Evils*. London: Verso.
- Weizman, Eyal. 2013. The Image is the Bone. In *The Human Snapshot*, ed. Thomas Keenan, and Tirdad Zolghadr. Berlin: Sternberg Press.
- Weizman, Eyal. 2014. Introduction: Forensics. In *Forensis*, ed. Forensic Architecture. Berlin: Sternberg Press.

### Web Pages

- Department of Justice and Constitutional Development. 2009. The TRC Final Report, vol. 1, chapter 5. <http://www.justice.gov.za/trc/report/>. Accessed 24 Aug 2015.
- Forensic Architecture. 2011–2015. <http://www.forensic-architecture.org>. Accessed 26 Dec 2016.
- National September 11 Memorial & Museum. 2016. Remains Repository at the World Trade Center Site. <http://www.911memorial.org/remains-repository-world-trade-center-site>. Accessed 26 Dec 2016.
- Tam Institute for Jewish Studies. 2016. Judgment of Mr Justice Charles Gray. *David Irving v. Penguin Books UK and Deborah Lipstadt*. <http://www.hdot.org/en/trial/judgement/13-66.html>. Accessed 25 Dec 2016.

## After Testimony

In his book *The Holocaust by Bullets* (2008), Patrick Desbois describes his investigation of the Holocaust in Ukraine. Desbois directly addresses the forensic processes of finding and opening mass graves. The book forcefully describes how landscapes were transformed by the murder of the Jews and follows the search of Desbois' team for bullet casings and bones. But it is also—and perhaps more importantly—a book of testimonies. Desbois privileges the narratives of the local Ukrainian villagers, who remember their Jewish neighbours, the arrival of the Germans, and the murders. Many were even requisitioned by the Germans and were in that respect implicated in the events. These stories are retold by Desbois but examples of interviews with witnesses are also transcribed in the book. Desbois' original find is perhaps not the extent or the horror of what he calls “the Holocaust by bullets” but rather that “there are witnesses to the Shoah who are not Jewish: neither perpetrators nor victims, but witnesses” (Desbois 2008, 24). Testimony in *Holocaust by Bullets* is a resource necessary for identifying mass graves and for ascertaining the history of the place, but it also provides information about the processes, transactions, and actors that were part of the mechanisms of extermination. Thus, the book reframes the notion of witnessing now, 70 years after the events.

This chapter opens with a theoretical discussion of the history of testimony and trauma since—and largely in relation to—World War II, which has dominated cultural engagement with the Holocaust, war, and oppression particularly since the 1990s. This historical backdrop is

important because the forensic shift is, in part, a reaction to a specific theorization of testimony. This theorization is connected to the concept of trauma, which has sidetracked its judicial and historical function as well as the testimonies of bystanders. Testimony was celebrated not as a forensic genre (one pertaining to the forum of the court), but for its ethical potential outside the courtroom, and was connected to a specific aesthetics of trauma, which was commercialized and/or given normative status.

I go on to analyse Göran Rosenberg's book *A Brief Stop on the Road from Auschwitz* (2014) in relation to these developments in trauma theory and testimony, and I argue that Rosenberg is another example of a contemporary approach to writing the Holocaust "after testimony." I maintain that Rosenberg, like Desbois, writing in the forensic mode, reintroduces testimony as historical source material and juridical genre. I bring in W.G. Sebald as a point of comparison early in the analysis and I argue that Rosenberg's book may be read as a work of postmemory that engages with the memories of the postgeneration. Yet he distances himself from the inheritance of trauma theory that informs Marianne Hirsch's concept, moving towards the mode of writing that I call *forensic*.

Rosenberg's book does not engage with the Holocaust as a "cosmopolitan memory," providing a common ethical ground to which we can all relate. Instead, it shows how much we rely on a narrow canon of narratives and images and how much of the politics, pragmatics, and conflict of the war and postwar period is marginalized in that story. Focusing on the contrast between a prosperous Sweden and war-torn Europe, the book uses testimonies related to applications for residency, citizenship, and reparations from the German state, exploring political, juridical, and geographical borders and boundaries throughout.

The chapter concludes with comparative analyses of Daniel Mendelsohn's *The Lost* and Esben Søbys *Kathe, Alltid Vært I Norge*, through which I relate Rosenberg's book to two other contemporary attempts to engage with the history of World War II and the Holocaust in the forensic mode.

## TESTIMONY AND THE LEGACY OF TRAUMA THEORY

In 1945, the London Agreement and the establishment of the military tribunal at Nuremberg ratified the offence defined as "crimes against humanity." In December 1948, the General Assembly of the United



Nations adopted the Universal Declaration of Human Rights, thus including human rights in legal terminology. The aim in Nuremberg was to criminalize the war and its instigators—establishing the principle that political actors can be judged—and create a new basis for international law.<sup>1</sup> Chief Counsel for the United States Robert H. Jackson based his case on documents, images, and filmed footage that focused specifically on the perpetrators and showed them giving evidence of their own crimes:

We will not ask you to convict these men on the testimony of their foes. There is no count in the Indictment that cannot be proved by books and records. The Germans were always meticulous record keepers [...] We will show you their own films. You will see their own conduct and hear their own voices as these defendants re-enact for you, from the screen, some of the events in the course of the conspiracy. (Jackson 1945)

By not including victims' testimony, the prosecution avoided potential criticism of the credibility of the witnesses. This format suggested that the prosecution's inquiry was based on impartial and objective evidence and was not motivated by vengeance. The Nuremberg trials were largely successful in setting a precedent for trying war crimes and crimes against humanity in an international court. But they did not meet any collective need for postwar justice in the broader sense of having a specific educational purpose or by getting involved in social processes of reconciliation.

After the Nuremberg trials, at which only a handful of Nazi leaders were accused and sentenced for their crimes, silence about the extermination camps dominated the early Federal Republic of Germany. As the Cold War took centre stage, the Allies dropped their pursuit of Nazi criminals and handed the task over to the German justice system. With the approval of the Allies, jailed business leaders who had directly profited from concentration camp prisoners were released after short periods of detention and allowed to resume their leading corporate posts. In 1949, a law was passed prohibiting the extradition of German nationals and consequently, scores of Nazis who had committed their crimes in other countries were never handed over to these nations. The German judiciary rarely initiated action against Nazi war criminals, and many of those who had committed offences during the Nazi regime and had received a sentence of less than a year were soon granted amnesty. In 1950, the Bundestag recommended that the process of denazification be

ended and in 1954, amnesty was extended to all those with sentences of up to 3 years. In addition, offences like the “concealment of a person’s rank for political reasons” were granted amnesty, which made it easier for many of the criminals higher up the Nazi hierarchy—such as Adolf Eichmann and Josef Mengele—to go into hiding.

When Adolf Eichmann was finally found in 1959 and put on trial in Jerusalem in 1961–1962,<sup>2</sup> Chief Prosecutor Gideon Hausner placed testimonies centre stage even though he recognized the merits of documents. He acknowledged that the memory of witnesses might be vulnerable and that, unlike a document, a witness might be broken down in cross-examination: The document “speaks in a steady voice; it may not cry out, but neither can it be silenced” (Hausner, in Wieviorka 2006, 389–390). By focusing on testimony, however, the events could be “conveyed [...] to the world at large, in such a way [...] that it would not remain the fantastic, unbelievable apparition that emerges from the Nazi documents,” as Annette Wieviorka describes it (Wieviorka 2006, 390). Including human experience should serve to make the Nazi crimes real and believable, reaffirming the relevance of the Holocaust 15 years after the events.<sup>3</sup>

Scholarship on the Holocaust trials has focused on this central difference between the historical functions and purposes of the Nuremberg and the Eichmann trials. While the Nuremberg trials played an important part in the early development of international criminal law, the Eichmann trial “advanced extra-legal goals, such as the formation of a collective memory of the Holocaust” (Bilsky 2014, 28). The choice of primary evidential material (documents and victim testimony respectively) is central to this difference. Also crucial is the fact that in Nuremberg, the victors of the war sat in judgment while in Jerusalem it was the representative of the victims.

In opposition to this view Leora Bilsky suggests that the Eichmann trial *also* set an important precedent for international law as we know it today by granting recognition to testimony “given by individual victims during trials of perpetrators of collective crimes” (Bilsky 2014, 29). Bilsky posits that the Eichmann trial expanded the legal relevance of the victim’s testimony: in addition to eyewitness testimony (of people who saw Eichmann at work), there was also testimony concerned with the historical context of the crime and testimonies that highlighted aspects of the collective crime that could not be ascertained from documents. Thus, testimony was put to various legal uses such as proving *mens rea* and the systematic pattern of the Holocaust, connecting Eichmann with

places, acts, and events to which he could not be directly linked (a strategy also used in the ICTY) (Bilsky 2014). William Schabas also notes that the District Court in Jerusalem was the first judicial body to distinguish between genocide and crimes against humanity, “drawing the line between physical extermination, which seemed required by the definition of genocide, and deportation or persecution, which were acts of crimes against humanity” (Schabas 2013, 673). This distinction was of considerable importance when genocide prosecutions re-emerged in the context of the Yugoslav wars.<sup>4</sup> Schabas further suggests that whereas the London Conference, when establishing the legal basis of the Nuremberg trials, deliberately excluded crimes against humanity committed in peacetime (the Allied powers might otherwise also have been accused),<sup>5</sup> the Eichmann trial provided the first conviction for crimes against humanity committed “without a formal link to armed conflict” (Schabas 2013, 679). Hence, while the Eichmann trial had large cultural consequences its legal relevance should not be overlooked.

While in the immediate aftermath of World War II there seemed to be an overwhelming need to testify,<sup>6</sup> testimonies did not receive much attention until they entered the courtroom in Jerusalem. In her essay “The Witness in History” Annette Wieviorka states:

Personal, individual memories, confined within closed, family-like groups, had been generated from the moment the events took place. But these memories were not part of the cultural mainstream and had hardly any political meaning. Before the memory [...] could penetrate the public sphere, the political climate would have to change. Testimony would have to become relevant beyond its personal meanings. Its importance would have to be recognized by society – and this took place with the Eichmann trial. (Wieviorka 2006, 389)

Introducing the narratives of the witnesses to the forum of the court gave them social, political, and legal significance beyond what privately written testimonies could confer. Their words “attained a social dimension because they were uttered before judges whose responsibility it was to acknowledge the truth they contained and because they were relayed to the media of the entire world” (Wieviorka 2006, 390). It was through the Eichmann trial and the attention it received in the media that the survivors of the Holocaust were recognized as bearers of history, living embodiments of the memory of the atrocities. Thus initially the entrance

of the Holocaust witnesses into the public sphere was a distinctly *political* development (in Jacques Rancière's definition of the term). In the courtroom in Jerusalem the noise of the testimonies became a recognized discourse in the public sphere.

The first time some of the individuals responsible for the Nazis' machinery of extermination were brought before a court in the Federal Republic of Germany was between 1963 and 1965 in Frankfurt am Main. The Frankfurt Auschwitz trials became possible when Jewish Attorney General Fritz Bauer succeeded in establishing the district court at Frankfurt am Main's jurisdiction over Auschwitz (Wagner 2010). Bauer hoped, as he explained in an address to the press, to "investigate the objective truth" of the "Final Solution."<sup>7</sup> Even so, the investigation was conducted as an ordinary murder trial (as opposed to both the Nuremberg and the Eichmann trials) within the parameters of the West German penal code, and its objective was narrowly defined: to determine the personal guilt of individual defendants. The trial did not primarily deal with leading members of the SS, but rather with SS men of lower ranks.<sup>8</sup> Because of this, and because—like the Eichmann trial—it relied heavily on survivor testimony, the case and the detailed media coverage that accompanied it provided the first comprehensive picture of the routines and everyday workings of the extermination policy at Auschwitz.<sup>9</sup> Yet as the prosecution was constrained by West German murder laws, only those defendants who exceeded the orders given to them were convicted of murder.

This focus on individual crime was reflected in the press coverage, leaving the systematic nature of the Nazi machinery in the background. That West Germans began to follow the Auschwitz hearings was largely due to the testimonies of witnesses reported in gory detail in the daily press. The trial required witnesses to recall their experiences with the precision that is necessary in a criminal prosecution. The survivors were required to recall their horrifying experiences "at a time when neither the majority of the general public nor the justice system in West Germany were yet openly engaging with this issue" and in a system of justice in which they had little confidence (Wagner 2010). Within traditional legal parameters, testimonies were—as Julia Wagner comments—problematic to the prosecutors because the events were 15 years or more in the past, because witnesses' capacity for observation would often have been impaired by their physical and psychological state in the camps, and because traumatic memories were difficult to put into coherent and

sober statements (Wagner 2010, 352). Thus, many testimonies were rejected on the basis of inconsistency or a lack of emotional detachment. Having to prove beyond reasonable doubt that each of the accused was individually complicit in specific crimes resulted in sentences that were completely out of proportion to the crimes committed in Auschwitz.

The result of the Frankfurt Auschwitz trials was thus highly ambiguous. Although they were unable to adequately deal with the systematic character and enormous scale of the atrocities committed, these trials have had an enormous influence on our historical understanding of the small-scale mechanisms of the Nazi extermination policy. Rebecca Wittmann comments that scholarship on the Holocaust has had a tendency to negate the value of testimony as historical source material and instead sees testimony “as a valuable emotional experience, evoking the startling pain and cruelty of Nazi persecution, but lacking in substantive historical information and often obscuring accurate evidence rather than illuminating it” (Wittmann 2003, 94). Wittmann’s example is historian Peter Novick, who calls upon the authority of Primo Levi to solidify his argument that “survivor’s memories are broken and blurred at best” (*ibid.*). Wittmann nevertheless contends that the historical information we have about the Holocaust today is much more a product of survivor testimony than we tend to realize. “This is most obvious,” she claims,

in the abundance of historical information, especially about the concentration and death camps, that has come from survivor testimony, specifically from meticulously recounted, painstakingly detailed pre-trial and trial interrogations of survivors. (*ibid.*)

As public and highly mediatized events, then, both the Auschwitz and the Eichmann trials shaped public consciousness, premediating later historical reconstructions of the Holocaust (see Wittmann 2005, 2003; Pendas 2006; Wagner 2010). In West Germany, opposition to trials of this kind was widespread. Moreover, the sentences were sadly disproportionate, and the public image of the camp system was distorted. Nonetheless, the Auschwitz trials played a significant role in making the younger population of West Germany aware of their history—influencing, among others, the young W.G. Sebald (Jaggi 2001). Since the trials in the early 1960s, countless survivor accounts along with literary and audiovisual engagements with the Holocaust have entered the public domain.

In 1966 and 1967 British philosopher Bertrand Russell organized a symbolic legal proceeding that investigated American foreign policy and military intervention in Vietnam. This tribunal was motivated by moral outrage and by frustration with the inertia or paralysis of official institutions when it came to challenging the USA. Prominent intellectuals from around the world assembled in a forum to serve as a “jury of conscience.” They heard evidence and presented their judgment. Further tribunals were set up in the following decades on the same model, and the denomination “Russell Tribunal” is still used of people’s tribunals, thus drawing on the precedent of the first to claim legitimacy in influencing public opinion. The Russell Tribunal breached the judicial monopoly of state actors and challenged a solely legalistic approach to war crimes.<sup>10</sup> In that sense it was an early instance of an extrajudicial assembly of a forum around evidence, critical of state-sponsored violence, similar in purpose to that of Eyal Weizman’s Forensic Architecture group (Forensic Architecture 2011–2015).

By the end of the 1970s, Holocaust testimonies were being systematically collected and archived. At the same time memory discourses were emerging “in the wake of decolonization and the new social movements and their search for alternative and revisionist histories,” as Andreas Huyssen describes it (Huyssen 2003, 12). Thus, historical agency was democratized and the ideology of human rights grew in prominence (see, for instance, Moyn 2012a, b). The aim was to give a voice to the excluded and the voiceless. Memory discourses had accelerated in Europe and the USA by the early 1980s and continued into the 1990s, energized largely by Holocaust debates. Moreover, the recurrence of genocide in Rwanda, Bosnia, and Kosovo through the 1990s kept the Holocaust on the agenda, with questions of comparison between the Holocaust and other atrocities becoming urgent in relation to the politics of intervention.<sup>11</sup> Here, the development of international human rights politics and the increasing “legalization” of human rights in the 1990s, as discussed in the Introduction, slowly introduced forensics to the sphere of memory culture.

The 1990s also saw a boom in literature on psychoanalysis and trauma. A prominent example of this is the controversies surrounding “recovered memory syndrome” in cases of sexual abuse, which has been largely discredited by researchers today (see, for instance, Strange et al. 2007). In the developing field of medical humanities, works like Judith Herman’s *Trauma and Recovery* from 1992 (1997) and Arthur Frank’s

*The Wounded Storyteller* from 1995 (2013) considered traumatic events and ways to cope with them. In the sphere of cultural studies, Shoshana Felman and Dori Laub's *Testimony* (1992) and the influential work of Cathy Caruth<sup>12</sup> brought together perspectives from psychoanalysis and deconstruction to examine the workings of testimony and trauma in therapy as well as in art. I discuss these perspectives below.

Towards the end of the 1990s, the South African Truth and Reconciliation Commission (TRC) attempted to uncover the truth about the human rights violations committed in South Africa during apartheid and promote reconciliation through a collective process of working through the past. This approach has since been influential across the world in the aftermath of conflict, receiving praise internationally as a legal innovation in terms of navigating between justice and reconciliation, between law and healing, thus—potentially—solving the dilemmas involved in dealing with conflicted pasts. Berber Bevernage explains that “the secret formula of the South African TRC, according to its commissioners and international commentators, is that it resisted a general or blanket amnesty by making amnesty conditional on a full disclosure of the historical truth” (Bevernage 2012, 46–47). This “secret formula” should, then, lead to healing and reconciliation as it secures the historical memory of the crime, rather than having amnesty slip into amnesia. The TRC has, however, been criticized for individualizing and depoliticizing apartheid because it largely ignored the institutional and judicial system of oppression in favour of individual acts and experiences of violation outside the law.<sup>13</sup> Relying on the idea that narrative and witnessing leads to healing and redemption, the TRC is firmly rooted in the psychoanalytical 1990s and has also been criticized for a focus on storytelling and memory that is aimed not at a (much needed) re-writing of history but (possibly prematurely) at obtaining “closure.” Thus, the TRC risked depoliticizing the problems rather than changing the actual circumstances for those (still) suffering from the events of the past (see Craps 2010; Bevernage 2012).<sup>14</sup> The same problem arises in relation to the forensic exhumations in Spain after 2000. Bevernage and Colaert have argued that the exhumations have become metaphors for the confrontation with repressed trauma, leading therapeutically to “closure” and reburial. This structure of time is naturalized, they contend, as the appropriate way of dealing with the past, reframing the legacy of testimony and trauma theory *within* a forensic framework.

In 2000, the Holocaust was again on trial. This time it was in the form of a libel suit against Deborah Lipstadt, who in her 1993 book *Denying the Holocaust* had called British writer David Irving a Holocaust denier and falsifier of history (Lipstadt 1996). As the burden of proof in this case fell on the defendant, Deborah Lipstadt had to prove her case—without suggesting to the general public that “the existence of the Holocaust was something to be debated” (Lipstadt 2011, xxii). Hence, while Lipstadt was supported by the testimonies of many Holocaust survivors, the defence chose to avoid using testimonies attesting to the fact that the Holocaust took place.<sup>15</sup> Instead, it settled on a *forensic* strategy by addressing particular claims made by Irving. In this case, the evidence of Robert Jan van Pelt was central (Weizman 2014b, c). Today, former concentration camps are being exhumed across Germany and Eastern Europe, mass graves are being opened, and the so-called “Holocaust by bullets” in the East is being investigated (see for instance Yahad-in Unum website and Desbois 2008), creating a veritable “forensic turn” in Holocaust studies.<sup>16</sup>

While testimony has been an important cultural force, its function is closely connected with its use, limitations, and recognition in the courtroom. Criticism of the South African TRC relates to the detachment of testimony from its legal context, and this appears to be the pinnacle but also the breaking point of the “Era of Testimony.” The critique of the TRC, of testimony, and of its theoretical counterpart—trauma theory—provides an important context for a shift away from testimony. I will now briefly discuss the main aspects of this shift.

On the threshold of the new millennium Andreas Huyssen published his collection of essays (originally published from 1996 to 2001), *Present Pasts—Urban Palimpsests and the Politics of Memory* (2003). In the introduction Huyssen writes that “too much of the contemporary memory discourse focuses on the personal—on testimony, memoir, subjectivity, traumatic memory—either in poststructuralist psychoanalytic perspective or in attempts to shore up a therapeutic popular sense of the authentic and experiential” (Huyssen 2003, 8). We can regard Huyssen as symptomatic of a shift in contemporary memory culture, where there seems to be a detectable weariness with the personal experience of trauma and the therapeutic value of narrative and (faltering) linguistic representations. “If the 1980s were the decade of a happy postmodern pluralism, the 1990s seemed to be haunted by trauma,” Huyssen writes. “It was energized [...] by the intense interest in witness and survivor testimonies, and it merged with discourses about AIDS, slavery,



family violence, child abuse, recovered memory syndrome, and so on.” “Surely,” Huyssen continues,

the prevalence of the concern with trauma must be due to the fact that trauma as a psychic phenomenon is located on the threshold between remembering and forgetting, seeing and not seeing, transparency and occlusion, experience and its absence in repetition. But trauma cannot be the central category in addressing the larger memory discourse. (Huyssen 2003, 8)

Trauma cannot (continue to) be the master trope of memory even though traumatic experiences exist and must be recognized:

The focus on trauma is legitimate where nations or groups of people are trying to come to terms with a history of violence suffered or violence perpetrated. But the transnational discourse on human rights may give us a better handle on such matters than the transfer of psychoanalysis into the world of politics and history. (Huyssen 2003, 9)

Huyssen goes on to suggest that “truth commissions and juridical proceedings are better methods for dealing with historical trauma” than a psychoanalysis of history (*ibid.*). *Present Pasts* is, it seems to me, an informative case placed right on the border between the “Era of Testimony” (Felman and Laub 1992) or *The Era of the Witness* (Wieviorka 2006) and the forensic shift suggested by Weizman.

While testimony has always been considered problematic in terms of veracity, today’s turn away from testimony addresses the larger issue of testimony’s particular and dominant status in (memory) culture. Since the Eichmann trial testimony has to some extent been regarded as detached from its legal context and burdened with the ethical responsibility of carrying the legacy of the past—particularly in relation to the Holocaust. Many writers of testimony have reflected on the problem of representing this legacy. In the beginning, many feared that they would not be listened to or believed, and many also reflected on the impossibility of conveying through language the truth about the experience of the concentration camps. This question is central to Charlotte Delbo’s memoir *None of Us Will Return* and Primo Levi’s *If this Is a Man*. In *Literature or Life*, Jorge Semprún considers the problems of writing a nonfictional testimony, paradoxically suggesting that only the possibilities and freedoms of artistic writing could convey the truth of his experience.

Testimony became closely connected to the notion of trauma and the development of trauma theory in the 1990s (as criticized by Huyssen above). In her study *Unclaimed Experience: Trauma, Narrative and History* (1996) Cathy Caruth suggests that bringing together a psychoanalytical view of traumatic memory and a deconstructivist critical approach makes it possible to access experiences that are otherwise alien to understanding and representation. Caruth believes that trauma produces a moment of rare insight into the human condition when our cultural systems of significance disintegrate (Kansteiner and Weilnböck 2008, 230).<sup>17</sup> Even so, such moments can never become fully accessible or representable. This idea, as Caruth expresses it in the introduction to her edited volume *Trauma: Explorations in Memory* (1995) is “the truth and force of reality that trauma survivors face and quite often try to transmit to us” (Caruth 1995, vii). Trauma, with its silences, latencies and repetitions—or so Caruth argues—demands a “new mode of reading and listening.” As such, Caruth’s trauma theory has a strong ethical imperative connected to it.

In his article “Wor(l)ds of Grief: Traumatic Memory and Literary Witnessing in Cross-Cultural Perspective,” Stef Craps criticizes trauma theory as shaped by Cathy Caruth, Shoshana Felman, Geoffrey Hartman, and others for not living up to these ethical obligations. While Cathy Caruth maintains that trauma can contribute to cross-cultural solidarity and community, trauma theorists, according to Craps,

tend to ignore traumatic experiences and histories of currently subordinate groups both inside and outside Western society, and/or to take for granted the universal validity of definitions of trauma and recovery that have developed out of the history of Western modernity. (Craps 2010, 53)

Craps comments that trauma as we understand it is in fact a Western invention whose “origins can be located in a variety of medical and psychological discourses dealing with Euro-American experiences of industrialization, gender relations, and modern warfare” in the late nineteenth and early twentieth centuries (Craps 2010, 53, see also Luckhurst 2008, 19).

The concept of trauma has furthermore become synonymous with symptoms associated with a diagnosis of post-traumatic stress disorder (PTSD), thus associating a specific medical condition with a vast field of experiences and reactions (see Gibbs 2014).<sup>18</sup> The concept of trauma so dominant in contemporary culture is—unsurprisingly—historical and

contingent. Yet very different experiences and reactions that do not necessarily have much in common have been addressed under the heading of trauma. The word “trauma” has, for instance, traditionally been used to describe the experience of injury connected to a particular physical “blow” or event. Meanwhile today it is often applied to groups and communities experiencing “ongoing, everyday forms of violence and oppression” (Craps 2010, 54). Admittedly, the focus on similarities between different experiences may serve to bring events, groups, and experiences that have otherwise been overlooked into the public sphere (this is to some extent also what Rothberg argues in *Multidirectional Memory*). Nonetheless, collapsing the different experiences into one (vague, metaphorical) term

takes for granted rather than interrogate, hegemonic definitions of trauma which are not scientifically neutral but culturally specific, and which will have to be revised and modified if they are to adequately account for – rather than (re)colonize – the psychological pain inflicted on the down-trodden. (Craps 2010, 54)

What is more, the connection between the developing understanding of PTSD and the experiences of Vietnam veterans indicates that PTSD is connected to the (guilt of the) perpetrator or bystander and therefore cannot be transferred unquestioned to victims (see Gibbs 2014, 18–19).

Trauma has typically been discussed as an experience that ruptures or exceeds what can be represented and incorporated into a familiar framework of experience. This is true both in terms of the trauma itself, which refuses to be mastered and given a comprehensive shape by language, and in terms of the pure scale of the tragedy of the Holocaust in which the overwhelming number of victims cannot be represented or grasped in their individuality. One result of the unrepresentable nature of traumatic events is that they haunt and return as they exist on the border between remembering and forgetting (as Huyssen has it). Hence, they collapse the healthy distance between past and present experiences. The way of coping with trauma, then, is traditionally considered to be as follows: reinstate chronology, separate past and present by confronting the traumatic memory, and incorporate it into a coherent narrative.<sup>19</sup> While narrative is considered to be central in coping with trauma (a principle that formed the basis of the work done by the South African TRC), *representing* trauma or conveying traumatic experience must, it seems, take

place on the borders of narrative coherence.<sup>20</sup> In *Testimony*, Shoshana Felman and Dori Laub theorize that testimony of the Holocaust carries lacunae, stemming from the fact that Auschwitz was created specifically to exterminate its witnesses as well as every trace of them. The authors assert that the Holocaust can be considered a “radical historical *crisis of witnessing*” (Felman and Laub 1992, xvii), as it has eliminated its own witnesses. As Primo Levi has lucidly put it,

We, the survivors, are not the true witnesses. [...] We survivors are not only an exiguous but also an anomalous minority: we are those who by their prevarications or abilities or good luck did not touch bottom. Those who did so, those who saw the Gorgon, have not returned to tell about it or have returned mute, but they are the ‘Muslims’, the submerged, the complete witnesses, the ones whose deposition would have general significance. [...] We speak in their stead, by proxy. (Levi 1988, 63–64)

Thus, according to Felman and Laub, the Holocaust results in an “ongoing, as yet unresolved *crisis of history*, a crisis which in turn is translated into a crisis of literature insofar as literature becomes a witness, and perhaps the only witness, to the crisis within history which precisely cannot be articulated” (Felman and Laub 1992, xviii). Since witnessing the Holocaust is impossible, what should be testified to instead is the silence and the impossibility of speech.<sup>21</sup> Cathy Caruth similarly asserts that “trauma must be spoken in a language that is always somehow literary: a language that defies, even as it claims, our understanding” (Caruth quoted in Gibbs 2014, 17). In his critique of Caruth, Alan Gibbs protests:

This huge claim, that the representation of trauma depends necessarily upon apparently experimental artistic and literary forms, has had lasting effects on both trauma literature and criticism in contemporary America, imposing formulae that have in turn produced a narrow approved trauma aesthetic. (Gibbs 2014, 17)

One central point of this aesthetic programme is, as Gibbs points out, that it is supposed to *convey* or *transmit* trauma to the reader—a point which Anne Rothe (and Gibbs quotes her here) calls “absurd and unethical.” Rothe contends that the said programme is “grounded in the fallacious analogy between the experience of the Holocaust and the consumption of its representation” (Rothe 2011, 161; Gibbs 2014, 21).<sup>22</sup>

Gibbs further notes that the—narrow—trauma aesthetic of unrepresentability and experimental forms that challenge coherent narrative “betrays a western bias in favour of avant-garde forms” (a view also supported by Craps and Luckhurst), which may, according to Gibbs, marginalize “many non-western trauma representations” (Gibbs 2014, 25).

A central feature of trauma theory, in this respect, is the claim that unrepresentability, the impossibility of speech, is the only possible way of testifying to—and, in turn, the only appropriate response to unspeakable pain and horror. It favours a specific *aesthetics* of trauma that is distrustful of coherent narration. As Andreas Huyssen has noted, Adorno’s statements about writing poetry after Auschwitz “have become a standard reference point and have fed into the recent revival of the notion of the aesthetic sublime and its dogmatic antirepresentational stance” (Huyssen 2003, 124).<sup>23</sup> In his Nobel lecture, Hungarian Auschwitz survivor Imre Kertész suggests that, had he been living in the West, he would probably not have written a novel like *Fateless* (1975). Indeed, had Kertész written in the West, the careful linearity of his narrative would have gone against the grain of emerging postmodern conventions. Instead of breaking up the narrative, the novel follows a careful chronology which forces Kertész to narrate events step by step: “Linearity demanded that each situation that arose be completely filled out. It did not allow me, say, to skip cavalierly over twenty minutes of time, if only because those twenty minutes were there before me, like a gaping, terrifying black hole, like a mass grave” (Kertész 2006). In *Fateless*, the main character returns from Auschwitz, and when he meets his family, he almost ramblingly protests against their insistence that he should start a new life and leave the past behind him. Instead, he insists that the past did not just “come about,” “unalterable, finite, so tremendously fast, and so terribly opaque” (Kertész 2006, 257). Rather, he himself took all the steps that brought him there. Narrative and chronology had become for Kertész a way of bringing his past with him and claiming every moment of it as his own.

In their contribution to *Cultural Memory Studies* (Erl and Nünning eds. 2008), Wulf Kansteiner and Harald Weilnböck similarly—and sharply—criticize the normativity of the aesthetic ideals of disruption, silence, and unrepresentability. Discussing (among others) the work of Jenny Edkins, they protest that her celebration of trauma as being “clearly disruptive of settled stories” and therefore potentially threatening to “centralized political authority based on such stories” (in this case President Bush’s stories of heroism and sacrifice, Kansteiner and

Weilnböck 2008, 234) loses track of the victims. “What if,” they ask, “the survivors, to whom the memories allegedly belong, would like to embrace stories of heroism and sacrifice [...] What sense does it make to advocate extending the moment of trauma simply because [...] [it] aligns very nicely with the philosophical insights of Lacan, Derrida, and others?” (ibid.).<sup>24</sup>

At the other end of the spectrum, Anne Rothe criticizes what she calls “popular trauma culture.” In her book *Popular Trauma Narratives* (2011), Rothe argues that trauma has been commercialized and over-used in American popular culture.<sup>25</sup> Rothe argues that trauma studies ignore the function of the ubiquitous notion of trauma in contemporary culture. Self-help books and popular culture products teach their “many consumers that in order to overcome traumatizing experiences and transform weak victims into heroic survivors, the traumatic memories must be narrated” (Rothe 2011, 4). The “media spectacles” of popular trauma culture, Rothe suggests, detach victimization and suffering from their sociopolitical contexts and teach consumers that good will triumph over evil, and victims will be healed. Consequently, “the socio-economic status quo need not be changed through political action. Mass media emplotments of the pain of others (to borrow a phrase from Susan Sontag) are thus not only unethical because they transform traumatic experiences into entertainment commodities but also because they are politically acquiescing” (Rothe 2011, 4–5). Alan Gibbs addresses the same issue, and as noted above, it was also a central part of the criticism levelled at the South African TRC.

From the critique of trauma theory, then, I would distinguish between two main points that relate to art and aesthetics. First, trauma theory has fostered an ideal of unrepresentability and silence. This ideal favours a specific (Western, elitist, narrow) experimental aesthetics that proposes to convey trauma and is (overly) sceptical of narrative, chronology, and coherence. Second, narrative—in trauma theory—often comes across as an easy solution to social and political issues. This is because its healing potential is overemphasized and lingering political and social issues are sidestepped. These two points seem to run against each other and could easily (and wrongly) be attributed to high culture and popular culture respectively. Both, however, rely on a specific but vague conceptualization of trauma as connected to rupture, latency, and repetition. These attributes have been applied across the board to very different experiences and circumstances and mobilized, in the 1990s, a veritable

political (and often problematic) trauma culture. Yet the artistic output of this culture has been increasingly commercialized and has lost much of its political force.

Reinstating the value of testimony means detaching it from the legacy of trauma theory and focusing once again on its judicial and historical potential. Hence, testimony is not just a matter of healing or of conveying trauma but in addition—and perhaps primarily—a matter of laying out the facts and documenting the human face of the pain of others (Sontag 2003; Rothe 2011). One way of reinstating the value of testimony is to recognize it as a forensic genre or mode of speech. In other words, it is a type of evidence that can be presented to the forum of the court with its own particular purposes and functions. I submit that the forensic narrative mode is one way to approach this issue, for it reframes testimony and trauma by using human testimony as one type of evidence among others. It does this within an investigation of the past and reflects on its uses and limits. Correspondingly, the forensic shift in literature that I propose here is not a reaction against historical testimonies of atrocity but a response to the particular aesthetics and over-determination of trauma-writing in testimony and fiction, particularly in the 1990s.

## POSTMEMORY AND THE ROAD FROM AUSCHWITZ

Göran Rosenberg's memoir *A Brief Stop on the Road from Auschwitz* is an investigation of Rosenberg's own family history. In particular, it chronicles the story of the author's father and is motivated by his suicide in the summer of 1960 (that is, before the recognition of the survivor as witness in the courtrooms in Frankfurt and Jerusalem). Focusing on the experience and trajectory of his father rather than his (still living) mother, the book seems to a certain extent to compensate for a missing testimony and address a traumatic loss. Yet I contend that the book resists being read as a work of postmemory writing and that its particular—forensic—narrative strategy emphasises *a political* rather than a purely *ethical* engagement with the past.

Rosenberg's parents, Dawid Rozenberg and Hala Staw, are deported from the Jewish ghetto in Lodz in August 1944 and separated at the selection camp at Auschwitz. Nevertheless, both miraculously survive the war—in the first instance because the German factories desperately need workers for the last stage of the war effort. This situation

allows some Jews to avoid immediate gassing. Consequently, Dawid Rozenberg is transported around the “camp archipelago” of Northern Germany between Braunschweig, Hamburg, and Berlin. He works and starves but is finally liberated from the Wöbbelin concentration camp by American troops on May 2, 1945. Rozenberg is subsequently transported to Sweden by the Red Cross and enters a different kind of camp archipelago for survivors. He stays there until he finds employment as a textile worker in Alingsås where he is joined by Hala. They move on to Södertälje, a small town near Stockholm, where he, now known as David Rosenberg, finds work in a truck factory. There they remain—perhaps mainly because of the birth of their two children.

Divided into seven chapters, the book begins in Södertälje (“The Place”) with the arrival of David Rosenberg. It then carefully places the Rosenberg family in postwar Södertälje and traces the vague memories of “the child” (the author, slowly becoming “me” as memories and identity solidify) through the 1950s. The narrative then takes the reader back in time to the Lodz ghetto and the war (“The Wall”), follows the liquidation of the ghetto (described in contrast to the thriving town of Södertälje in “The Carousel”). The narrative next proceeds through Auschwitz, the camps, and the trains until the liberation (“The Road”), ending up back in Sweden and Södertälje (“The Stop” and “The Project”). Here the shadows of the past are perceptibly following and slowly catching up. In the final chapter (“The Shadows”) David Rosenberg breaks down and ultimately kills himself.

Within the text, though, the chronology is more complex, as the investigation of the author is present throughout. While past and present are carefully woven together, there is a constant awareness, and even a wariness, of confusing the author’s memories and the knowledge of the characters in the past with what they and he only find out later. This is marked by the words “much later” (*långt senare*). This expression, despite the author’s objection that the words just “creep in,” seems to be a carefully placed marker that keeps past and present from collapsing into one another:

Oh, that “much later”! How insidiously it creeps in, that all-narrowing perspective of hindsight wisdom and rationalization. How easy it is, with only a few strokes of the pen, to inscribe people into a narrative which to them must still be unwritten, burdening them with a knowledge they can’t possibly have yet, closing horizons which to them must still remain open. (27)



In the afterword—called, in fact, “Much later: an afterword” (323)—the author acknowledges this by explaining

‘Much later’ in this book is a recurring expression for the hopeless impotence felt by a writer who has made up his mind not to let the events of the future burden his story, still less the individuals in it. In reality, of course, this book could not have been written without knowing what can only be known much later. (325)

This reflection leads the author to acknowledge the people who helped him in his research process. Rosenberg also lists the main source material upon which his book is based. This is a deliberate strategy. Rosenberg allows his characters (and his past self) the openness of an unknowable future, but he also foregrounds the problem of narrating history. That is, he suggests to the reader the difficulty of trying to understand the past without burdening it with present knowledge and motivations—even while recognizing that the decoding of the traces of the past is possible and meaningful only in hindsight. This strategy of emphasizing or even inserting a distance between past and present is also evident in Rosenberg’s choice to keep his father’s suicide hidden from the reader until the end of the book. Thus, he avoids loading the narrative with the expectation of looming tragedy and the narrative tension is deliberately deflated. Rather than trying to convey a sense of trauma to the reader, Rosenberg invites an analytical gaze and sober reflection on the part of his audience.

*Distance*, then, is a central theme and strategy in Rosenberg’s narrative. In much trauma literature, it is the constant haunting *presence* of the past that is explored. Meanwhile, in Rosenberg’s book, the present is dominated by the personal yet clear and analytical voice of the author. It is only represented discretely and only in relation to the investigative process. The trauma that clearly haunts David Rosenberg is a *medical* issue (represented largely by case notes and doctor’s reports) located in the past. The trauma is connected to the memory of the Holocaust but also to the uprooted-ness of forced exile, to the liquidated home, and to the problem of settling in and creating a new life in a place and a time where the past is only to some extent recognized and options continue to be limited. While the author dwells on his own memories of his father’s pain and the silences that obscure his parent’s past, the narrative voice is clear and precise even in the face of the incomprehensible and traumatic.

While the suicide of Rosenberg's father is the all-important issue in the book and an obvious source of great pain, trauma is not echoed in the narrative style; instead, it is addressed directly.

To try to understand his father's experience Rosenberg searches the archives. He employs an archaeological strategy of digging for traces and decoding them, piecing together every little bit of information that he can find about the lost world and its destruction, about the journey, and the stop. His own position and his personal motivations for investigating are clearly stated:

It's me they have a function for. I'm the one who needs them. I'm the one who needs every fragment that can possibly be procured, so I don't lose sight of you. A fragment that can't be erased, edited, denied, explained away, destroyed. A date. A list. A registration card. A photograph. The exact numbers of the days when your world is liquidated. (52)

Yet Rosenberg's work comes across as political, not just concerned with personal loss, but interrogating mechanisms of memory work and historical justice. Rosenberg teases from these scraps of information links and connections to the broader political contexts through which he foregrounds the injustices and troubling social mechanisms of forgetting.

In relation to the suicide, the legacy of trauma in the next generation is a key issue of the book. It seems obvious, at this point, to read the book in the context of testimony and trauma theory—and even more so to relate it to Marianne Hirsch's concept of postmemory. In the following I will contend, however, that the importance of *distance* to both form and content, rather than that of *presence*, the precise use of different kinds of source material (including testimonies), and the careful negotiation of the concept of trauma makes such a reading problematic—or at least insufficient. I will briefly consider Marianne Hirsch's concept of postmemory and then go on to discuss *A Brief Stop on the Road from Auschwitz* in relation to a canonized literary work which may be considered the pinnacle of trauma literature and of postmemory writing, that is, W.G. Sebald's novel *Austerlitz* from 2001 (2011). I propose that while Sebald could be considered “the last traumatophile,” as Roger Luckhurst has it, Rosenberg's use of testimony and his strategy of analysis and distance in engaging with the past places him “after testimony,” in what Gibbs calls “a return to realism, drawing

in part upon certain non-fiction techniques”—and what I recommend calling the *forensic* mode.

The problem of representation in relation to the Holocaust, as discussed above, relates to testimony but is also inherited by the next (or “hinge”) generation to whom guardianship of the memory of the event is passed on. As Marianne Hirsch asks,

How do we regard and recall what Susan Sontag has so powerfully described as “the pain of others”? What do we owe the victims? How can we best carry their stories forward, without appropriating them, without unduly calling attention to ourselves, and without, in turn, having our own stories displaced by them? How are we implicated in the aftermath of crimes we did not ourselves witness? (Hirsch 2012, 2)

Hirsch introduces the concept of *postmemory* to describe “the relationship that the ‘generation after’ bears to the personal, collective, and cultural trauma of those who came before—to experiences they ‘remember’ only by means of the stories, images, and behaviors among which they grew up” (Hirsch 2012, 5). Accordingly, the “post” of postmemory describes the fact that while the children of survivors have no direct memory of their parents’ experiences, these experiences “were transmitted to them so deeply and affectively as to *seem* to constitute memories in their own right. Postmemory’s connection to the past is thus actually mediated not by recall but by imaginative investment, projection, and creation” (ibid.).

Marianne Hirsch’s concept is closely connected to the notion of trauma, which to her is a prerequisite to the affective transmission of postmemory: “It is,” she writes, “to be shaped, however indirectly, by *traumatic fragments* of events that still *defy narrative reconstruction and exceeds comprehension*. These events happened in the past, but *their effects continue in the present*” (ibid., italics mine). So the concept of postmemory clearly relates to the canonized conceptualization of trauma (as shaped by Laub, Felman, Caruth, and others). It addresses the important issue that growing up with parents who have been deeply affected by traumatic experiences and growing up in a culture where people try to come to terms with a difficult heritage *will* affect you. In particular, it will affect your memories and the way you remember, and you may even be traumatized by it. In view of the theories of situated cognition and memory discussed in the Introduction, this does indeed seem

plausible. “I see it,” Hirsch writes about postmemory, “as a *structure* of inter- and transgenerational return of traumatic knowledge and embodied experience. It is a *consequence* of traumatic recall but (unlike posttraumatic stress disorder) at a generational remove” (Hirsch 2012, 6, italics original).

When traumatic memories of a parent are transmitted in fragments to the child, is that simply because it is the nature of communicative memory (Assmann 2008) that the entire experience is never fully passed on? Or is it really, as Hirsch maintains, because “these ‘not memories,’ communicated in ‘flashes of imagery,’ and these ‘broken refrains,’ transmitted through ‘the language of the body,’ is precisely the stuff of the *postmemory* of trauma, and of its return”? In other words, having a traumatized parent surely does influence the memory and consciousness of the child. But does it make sense to link the idea of trauma returning to haunt the present to communicative memory, that is, across a generational divide? I will not attempt to answer that question here, but I will point out that Hirsch’s concept inherits much from trauma theory (particularly the issue of latency and belated return which is specifically criticized in Gibbs’ discussion of Caruth). I therefore advocate that the critique of trauma theory outlined above demands a reconsideration of Hirsch’s concept of postmemory as well. The point of including Hirsch’s concept here (which I do find useful and persuasive for understanding the generational aspects of situated cognition and remembering) is, first and foremost, to highlight a fault line between two aesthetic strategies. The first is literature that explores traumatic history across generations focusing on its silences, ruptures and returns *in the present* (in line with Hirsch’s concept). The second is a narrative mode that explores historical events and focuses on distance and the many forces and coincidences that were at stake in shaping the painful realities *of the past*. This is a mode that does not rely on notions of trauma (even though it may evoke them). W.G. Sebald’s *Austerlitz* will serve as an example of the first, while Rosenberg’s memoir exemplifies the latter.

In the first chapter of *The Generation of Postmemory*, Marianne Hirsch gives a comparative reading of Art Spiegelman’s graphic novel *Maus I* and *II* (1986 and 1991) and Sebald’s *Austerlitz*. She argues that they “form bookends” to the period of the postgeneration memory work of the Holocaust discussed in the rest of the book. They are both characterized, according to Hirsch, by the following:

a self-conscious, innovative and critical aesthetics that palpably conveys absence and loss; the determination to know about the past and the acknowledgement of its elusiveness; the testimonial structure of listener and witness separated by relative proximity and distance to the events of the war [...]; the reliance on looking and reading, on visual media in addition to verbal ones; and the consciousness that the memory of the past is an act firmly located in the present. (Hirsch 2012, 40)

Much of this could also be said about forensic literature and about *A Brief Stop on the Road from Auschwitz*, except, that is, for the “testimonial structure” which is precisely what is missing from Rosenberg’s narrative. *A Brief Stop on the Road from Auschwitz* is a nonfiction work about the aftermath of World War II and the journey of Dawid Rozenberg, the father of the author, from the Lodz ghetto through Auschwitz and the “camp archipelagos” of Northern Germany and Sweden to the town of Södertälje, where the author/narrator is born and grows up. The book traces the journey of Dawid Rozenberg (later David Rosenberg) and places it in a carefully researched context of family, local, and national histories. Relying heavily and explicitly on archival material and told by someone who had no personal experience of the Holocaust, the book is not testimony. Referring to Primo Levi, Jean Améry, and Jorge Semprún, however, a cultural inheritance of testimony is prominently present. As Rosenberg explores his family history and the intimate presence of the shadows of the Holocaust in his life and memory, the book invites a reading within the framework of *postmemory*. Rosenberg’s father did not pass on his testimony—perhaps simply because he did not live long enough to do so. However, Rosenberg is clearly of the post-generation that Hirsch speaks of. The concept of postmemory clearly applies to him and to his experience. In the book, particularly towards the end, Rosenberg searches the depths of his memory for signs of the approaching tragedy, which finally makes its presence felt. The last chapter is sparse and dominated by dates and brief case notes from the final stages of his father’s illness. Rosenberg’s book, however, does not *perform* trauma. While the haunting presence of the past (which dominates Sebald’s melancholic narrative style) is central to David Rosenberg’s experience and illness, this is located in the historical context of the postwar period. Therefore, negotiating that distance and understanding his father’s feelings and choices across a generational and chronological divide is at the heart of the narrative. While Sebald innovatively explores

and obscures the narrator's position, creating layer upon layer of narration, Rosenberg's voice seems to be determinately aiming for transparency in relation to the narrator's position and function in the text.

Roger Luckhurst argues that the real innovation of Sebald's work is in this particular use of narrative focalization. The first-person narrator in *Austerlitz* is a semi-fictional, semi-autobiographical figure who "filters all the details through a single voice, viewpoint and prose rhythm" (Luckhurst 2008, 114). But he hardly gains any substance through the narrative. While characteristic (*Sebaldian* if you will) in style, the narrator is almost effaced, and Luckhurst suggests that there is an ethical purpose here: when approaching traumatic material it is placed at a distance through layers of narrative framing, obscuring, and revealing. It is thus a representational strategy of indirection (see Krejberg 2011), spiralling movement (Biggsby 2006, 37), oblique, and tangential or "periscopic," as Sebald himself would have it (see Silverblatt 2010, 80 and 83).<sup>26</sup>

Whereas Sebald's narrator is almost obfuscated or dissolved in order to make room for the voices of the other, Rosenberg is a clear and careful presence, positioning himself transparently in relation to his object in an almost scientific manner. Rosenberg evaluates his material, passing judgment in his own voice and standing by positions that can potentially be challenged by new evidence and analysis. He opens up the past to scrutiny and debate rather than having it strangely and troublingly haunt the present. Rosenberg establishes a vertical viewpoint from which the narrative unfolds, whereas Sebald's narrator insists on interacting horizontally with the other characters, closing in on them and layering their voices into his, bringing their memories and historical knowledge into the narrator's present. In *Austerlitz*, the past haunts the present, looks back and coexists with it. As the narrator reflects,

I feel more and more as if time did not exist at all, only various spaces interlocking according to the rules of a higher form of stereometry, between which the living and the dead can move back and forth as they like, and the longer I think about it the more it seems to me that we who are still alive are unreal in the eyes of the dead, that only occasionally, in certain lights and atmospheric conditions, do we appear in their field of vision. (Sebald 2011, 261)

Thus, in *Austerlitz* history becomes a constant presence, even if it is always thoroughly mediated and emerges as echoes and fluctuating

memories. While the question of distance and presence in relation to the event in question is also central to Sebald's narrative strategy of indirection and mediation, his horizontal, periscopic approximations stand in clear contrast to Rosenberg's transparent narrative presence and authority within the narrative. Sebald's lengthy, convoluted, architectural passages also contrast with Rosenberg's simple, brief sentences.

According to Roger Luckhurst, Sebald's work in its entirety, and specifically *Austerlitz*, "conforms to the trauma aesthetic: experimental, aporetic, foregrounding the difficulty of representing atrocity" (Luckhurst 2008, 112). "Sebald's works are trauma fictions," Luckhurst continues,

not just because they explore the legacy of the Second World War and are imbued with this suave melancholia, but also because they hold on to a model of history that coincides exactly with the idea of traumatic occlusion and the belated recovery of memory. (ibid.)

And *Austerlitz* does follow a classic trauma plot: a forgotten childhood and a delayed return of childhood trauma, which then demands a re-evaluation of Jacques Austerlitz's life. Jacques Austerlitz seems to be modelled on a subject of (the much criticized theory of) recovered memory syndrome (Luckhurst claims that this is indeed the case, but provides no reference to support his claim) who is tied up in post-traumatic responses and suddenly flooded by repressed memories. "Sebald if anything," writes Luckhurst,

overloads Austerlitz' condensation of the history of trauma – a recovered memory 'survivor' in the 1990s, with a traumatic secret from the Holocaust in the 1930s and 1940s, who breaks down in Paris and is admitted to the Salpêtrière, home to the elaboration of traumatic neurosis in the 1880s. (Luckhurst 2008, 114)

Sebald, at this point, could be—and has been—considered an heir to testimony and trauma-writing, "writing from a site of missing the event, of an absence of understanding that is implicated in the trauma of the Shoah and vice versa," according to Christina M.E. Szentivanyi (2006, 358). I find that Sebald could be read more productively (and more generously) in a broader framework of a crisis of modernity, rather than narrowly in relation to the Holocaust and to trauma. Even so, the Holocaust remains—even in its absence—a theme that resonates through

his work. I consider Luckhurst's reading of Sebald somewhat polemical (and brief), but I do agree that trauma and canonized trauma aesthetics are central reference points to Sebald's work and aesthetics.

Marianne Hirsch's short reading of *Austerlitz* focuses on Sebald's use of photographs which, she argues, "provokes us to scrutinize the unraveling link between past and present that defines indexicality as no more than performative" (Hirsch 2012, 48). Hirsch invokes C.S. Peirce's tripartite definition of the sign (and the photograph as being both indexical or contiguous to the object in front of the lens, and iconic, exhibiting a mimetic similarity with that object). On this matter she suggests that by performing the index and invoking a link to the past yet disconnecting the contiguity between object and sign, Sebald places the truth of the past out of reach. While the photographs carry traces of the past, in Sebald's work "it is not a matter of reality or indexicality, but of fantasy and affect" (Hirsch 2012, 52). Or, as Hirsch adds in the following chapter, "based on the viewer's needs and desires" (Hirsch 2012, 61).<sup>27</sup>

In an analysis of Sebald's *Luftkrieg und Literatur* and *Austerlitz*, Jakob Lothe makes a few initial points about the inclusion of photography in written narratives. He states that when encountering a text that includes visual images, "we are confronted not just with what we can term two different media but also with a constellation of, and opposition between, two aesthetic and communicative registers" (Lothe 2012, 223). The reader becomes a viewer as well. This means that the reader/viewer constructs two potentially conflicting topographies *and* two potentially conflicting narratives. As a result, while the image may have the potential to support the narrative, it may also oppose it, jeopardizing our trust in the narrator. An image halts the flow of reading and necessarily disrupts the narrative progression as the reader stops to look and reflect on the picture and its significance. If the image is a photograph, this further complicates the issue. Our reliance on photographic conventions of indexicality and evidentiary value in our interpretive process may serve to authenticate the written text. Or—in the case of fictional or semi-fictional narratives—it adds a documentary quality, which destabilizes the fictional status of the work.

Both Hirsch and Lothe dwell on a still from the Nazi propaganda film *The Führer Gives a City to the Jews* (*Der Führer schenkt den Juden eine Stadt*) which appears in *Austerlitz*. As Austerlitz journeys "further and further east and further and further back in time" in search of the



parents from whom he was separated as a child, escaping the Nazis on a *Kindertransport* to Britain, he ends up in Prague where he meets his old nurse Vera. Through his conversations with Vera he comes to believe that his mother Agáta was interned in Terezin (or Theresienstadt) in 1942 from whence she was sent east (presumably to Auschwitz) in 1944. Austerlitz eventually manages to obtain a copy of the Nazi propaganda film from Terezin, which he then watches over and over again, searching for a glimpse of his mother.

I remember very clearly, said Austerlitz, how I sat in one of the museum's [the Imperial War Museum] video viewing rooms, placed the cassette in the black opening of the recorder with trembling hands, and then, although unable to take in any of it, watched various tasks being carried out at the anvil and forge of a smithy, in the pottery and wood-carving workshop, in the handbag-making and shoe-manufacturing sections – a constant, pointless to-do of hammering, metal-beating and welding, cutting, gluing and stitching. (Sebald 2011, 343–345)

Austerlitz then has a slow-motion copy of the film made, “one which would last a whole hour [...] creating, by default as it were, a different sort of film altogether” (Sebald 2011, 345). In this version, the sound and image are distorted, “men and women now looked as if they were toiling in their sleep” (345) and the damaged sections of the tape “now melted the image from its centre or from the edges, blotting it out and instead making patterns of bright white sprinkled with black” (348). This film reveals the face of a woman in the background. Her face seems “both strange and familiar, said Austerlitz,” reminding him of his mother from “faint memories and the few other clues to her appearance” (351) that he now has:

I run the tape back repeatedly, looking at the time indicator in the top left-hand corner of the screen, where the figures covering part of her forehead show the minutes and seconds, from 10:53 to 10:57, while the hundredths of a second flash by so fast that you cannot read and capture them. (ibid.)

The “documentary footage” from Terezin is, of course, Nazi propaganda or a “product of performances” as Hirsch notes (Hirsch 2012, 46), and adds to the complex interplay between fiction and documented reality that is at stake here. While the film is staged and is essentially a lie (rather than a fiction) meant to misrepresent reality and create a false

impression, the footage still uses genuine photochemical imprints of the past. Played in slow motion, ordinary tasks (the “pointless to-do”) comes to seem unnatural and strange. The figures appear to be “hovering rather than walking,” and the bodies are blurred. Moreover, the music becomes “a funeral march dragging along at a grotesquely sluggish pace” while the commentary turns into “menacing growls.”

Revealing details and faces that would otherwise have gone unnoticed, this version of the film also obscures and distorts reality (and the Nazi performance of it). Accordingly, it creates an ominous and strange representation that, through layers of mediation, distortion, and manipulation, becomes a powerful image. This image evokes the Holocaust—the reality that the Nazi film aims to hide behind performance. Within the fictional narrative, the main character believes that he recognizes his mother in the genuine historical recording. (It is implied, however, that it is in all probability not really Agáta, as Vera cannot recognize her and Austerlitz remains uncertain.) The boundaries between fiction and reality and between layers of mediation and performance are consequently destabilized. This strategy places Sebald’s narrative in a twilight zone between fiction and reality, between past and present, and between memory and desire. In this manner, the past becomes a haunting presence rather than an object to be explored through its traces in the present.

Marianne Hirsch’s reading of *Austerlitz* focuses on postgeneration trauma, and the image of the mother is central to her analysis. Hirsch emphasizes that “the pictures are no more than spaces of projection, approximation, and affiliation; they have retained no more than an *aura* of indexicality” (Hirsch 2012, 46). She further declares that the numbers in the corner “of course” recall the Auschwitz numbers and thus anticipate the fate of the Terezin prisoners. Jakob Lothe’s reading of the same image focuses on the relationship between fiction, lie, and documentary. He argues that Sebald’s use of the film and his incorporation of it in his text testifies to a powerful concern on Sebald’s part. This concern is with the relationship between history and fiction, and also between truth and falsity. The purpose of the film is to hide the truth, and Sebald’s fictional narrative seeks to reclaim the truth hidden in the documentary material. “Indeed,” he concludes, “the Nazi film does not really merit the term ‘documentary,’ even if, as Sebald demonstrates, documentary evidence of some sort may be obtained from it through an oppositional reading” (Lothe 2012, 239).

In his reading, Lothe stresses the mediality of the image. He considers this important to the specific temporality created by the image placed next to the written text:

In concert with the medium's conditions of production [...] what we are looking at here is just one frame out of the 24 frames per second that our eyes need to be exposed to in order to experience an optical illusion of movement. The temporal dimension of the filmic image is insistent in a way that that of a photograph is not, and here it is visually presented in the form of the numbers indicating the day, month, and year of the recording of the tape, as well as the time (close to eleven minutes) played and seen so far. (Lothe 2012, 237)

Lothe insists on analysing the numbers as part of the medium, and does not comment on any reference to the Auschwitz tattoos. He argues that their presence adds an explicit temporal quality to the image and reveals an attempt by Austerlitz, Sebald, or the frame narrator to freeze the moment in time or temporarily halt or stabilize reality, vague and fleeting as it is. At the same time, he asserts, the "narrativization" prompted by the image (he refers to Hirsch here) is accentuated by the inherent temporality that comes from it being a film still and which is emphasized by the numbers imprinted on it.

The passages from *Austerlitz* describing the slow-motion version of the film similarly foreground the medium and materiality of the film and invite an analysis of the book within a *forensic* framework. Lothe's reading points in that direction as he accentuates Sebald's urgent concern with a bona fide historical reality (emphasized by the presence of the blatant lie, which is the Nazi propaganda film) and the mediality and materiality of historical evidence. Meanwhile, Hirsch's interpretation is directed towards trauma theory and—of course—postmemory as a function of trauma.<sup>28</sup> *Austerlitz* is a borderline case that clearly inspires the "forensic" mode of writing analysed here. Forensic works all employ "self-conscious" and "critical aesthetics;" they are determined "to know about the past" while acknowledging its elusiveness; they rely on both "looking and reading, on visual media in addition to verbal ones;" and they are clearly conscious of memory as "an act firmly located in the present," to return to Hirsch's description of Sebald and Spiegelman quoted above. Yet Sebald's particular aesthetics of indirection, occlusion, and latency also place him within a tradition of trauma-writing from which

forensic works are largely detached. It is emphasized by his clear thematic concern with historical trauma.

Sebald and Rosenberg have much in common. They share the problem that traces of the past cannot simply be decoded but are layered within multiple histories and shaped by multiple forces that are revealed in “deep surfaces” in the present. They also share a sincere and even urgent engagement with history and a sense of ethical obligation to the past. Hence, Sebald is a borderline case between testimony and a forensic mode of writing and a central source of inspiration to forensic writers. His strategies of genre hybridization (contrasting and weaving together historical, autobiographical, and essayistic passages with fiction) and careful use of different semantic fields (image and text) evoke the indexicality of analogue photography while destabilizing photographic conventions. These techniques are central reference points to forensic writing even as the strategies employed by writers like Rosenberg are deliberately simpler.<sup>29</sup> Rosenberg applies a historical soberness and the author/narrator is a clear presence giving access to his sources as well as to his personal biases and point of view. He thus provides a certain degree of transparency in relation to his investigation. Sebald, on the other hand, is carefully hesitant, always recognizable in his tone and voice, but also distant, indirect, and tangential. He is intensely aware of the problems of representation and narration, closing in on the past and performing a sense of its presence.

## TESTIMONIES

In order to close in on the past, Rosenberg engages with various types of testimony. Among his sources, we find accounts and reflections by Jean Améry, Primo Levi, and Jorge Semprún, who are famous for their literary testimonies and central to the theorizations of trauma and testimony discussed above. That both Améry and Levi were Holocaust survivors who ended up committing suicide makes them key points of reference in the text. We also find lesser-known testimonies, such as those of Georges Salan and Josef Zelkowicz. Zelkowicz’s chronicle of the Lodz ghetto is discussed and quoted extensively<sup>30</sup> along with various forms of eyewitness and even expert testimonies.

Of the canonized witnesses, Primo Levi makes his presence felt most urgently throughout the narrative—all the way down to the vocabulary, where central phrases and metaphors such as “the wall” (the

central metaphor in the second chapter, “The Wall”), “the confusion of languages,”<sup>31</sup> and the “horizon that won’t quite open up” resonate with passages from his work. “The wall” that separates the familiar world before the war from the incomprehensible world of destruction and annihilation is largely a wall of language. It consists of Nazi euphemisms and lies and of the silences and the unrepresentability connected to traumatic events. It also pertains to the surrounding society, which both then and later prefers not to face the reality of what has happened.<sup>32</sup> While Primo Levi becomes a central presence in the text, Spanish writer Jorge Semprún appears only briefly as Rosenberg tries (and fails) to imagine the journey to Auschwitz in the infamous cattle trucks, using Semprún’s literary testimony, *The Long Voyage*, as source material. Through Semprún’s and Levi’s testimonies, the cultural memory of the Holocaust is evoked and brought into play. As reference points in the text, Levi and Semprún connect the experiences of Hala Staw and David Rosenberg to a historical context with which we are terrifyingly familiar. Rosenberg enters into a dialogue with these key texts, both reaffirming their place in the canon and drawing on their memories to shed light on his father’s experiences. The testimonies thus put a human face on atrocity where this is missing.

In the final chapter, Rosenberg discusses Holocaust survivor Jean Améry in a clear parallel with his father. Améry utterly refuses to forgive and forget, claiming a moral obligation to continuously demand that the clock be turned back and the crimes undone. He demands of the world that it does not move on, and this in turn becomes the only possibility for himself:

Améry thus mistrusts the attempt of “objective science” to pathologize the refusal to be reconciled. It may well be, writes Améry, that the survivors are marked by what has happened, and that this causes some to exhibit symptoms in common that can thus be grouped into a syndrome of some kind, Concentration Camp Survivor Syndrome, for example, which at a purely clinical level turns survival into an illness [...] At any event, there are no moral or historical reasons for the survivor to accept what has happened just because it has happened. Time may heal all wounds in social and biological terms, but morally it heals nothing. Morally, a human being has the right, and even the privilege, to revolt against what has happened and demand that the clock be turned back so that the perpetrator can be firmly nailed to his deed and ‘join his victim as a fellow human being [*als Mitmensch dem Opfer zugesellt sein*]’. (284)

As he is laying out the main points of Améry's reflections, Rosenberg quotes him, including central passages from the German original. This analytical clarity is combined with the reflections from his own investigative work. Hence, Rosenberg adds Améry's thoughts to the facts he can find as he focuses in on an interpretation of his father's motivations and state of mind:

Morally to 'annul time' so that the world is never allowed to forget what you've survived is Jean Améry's condition for moving from surviving to living, and the longer I travel at your side along the road from Auschwitz, the more clearly do I see that this is your condition too. (285)

The inclusion of precisely this part of Améry's argument invokes the medical discourse that dominates this final chapter. This is particularly visible in the case notes from David Rosenberg's final illness and assessments by doctors in relation to an application he makes for reparations from the German state.<sup>33</sup> Is survival an illness, and of what kind? How can it be defined and diagnosed? What are the real medical consequences of surviving the concentration camps, and what is at stake in the scientific discourses of medicine in relation to law and justice? Trauma is a central issue and perhaps the main concern in the author's investigation. But it is scrutinized within a particular historical context and in relation to the specific discourses of which the diagnosis is a part. In other words, trauma is represented here as a historical, juridical, and medical issue, a specific instance of traumatic experience rather than a historical or collective trauma addressed on a formal level as we see in *Austerlitz*.

In relation to applications for residency and citizenship, and not least in the application for reparations, both expert and non-expert testimonies play central roles. They are used as source material by the author as he tries to get a sense of his parents' motivations, obstacles, and opportunities. The external viewpoint of the investigative gaze in the present foregrounds the limited value and the contextual dependencies of these testimonies: David Rosenberg's application for reparations depends on evidence of reduced work capacity as a consequence of the encounter with the Nazi regime. The investigation of the documents reveals a disturbing randomness of seemingly analytical and detached discourses of medical science and law in relation to the application. The estimate of reduced work capacity by the medical experts is measured in vague percentages, and the process leaves the Holocaust survivor

vulnerable and—again—exposed to and depending on the mercy of German authority figures.

Rosenberg's sober but also distinctly personal exploration of the documents foregrounds the problematic aspects of these processes, questions the detachment of the scientific gaze, and reveals how processes of justice may in themselves be asymmetrical and painful.

To claim German reparations, the survivors have to fill out an extensive form on which they are required to show, in German and in minute detail, that they have suffered more than 25 per cent damage as a result of the annihilation policy of Hitler's Germany. Along with the form, claimants are to submit certified copies of all relevant documents, certified transcripts of sworn witness statements, and certified copies of medical records, on receipt of which the authorities will allow themselves a year, or maybe two, to verify the details provided, call for supplementary information, and, above all, await the report of their *Vertrauensarzt*. Germany demands that a *Vertrauensarzt* have a licence to practice medicine in the survivor's country of residence and be able to submit his or her report in German, which turns out to mean that in practice, the physicians for whom the survivors must bare themselves, literally and figuratively, are generally German-born or of German origin. (286)

The author's reflections emphasize the complexity and unfairness of the procedure. (If there are any contradictions or unsubstantiated facts, the claim is rejected, even though the whole annihilation system of Nazism actually aimed to eliminate evidence and testimony.) Also stressed are the randomness of the assessments (the doctors estimate completely different levels of reduced work ability without stating any criteria) and the costs, both monetary and psychological, of the process. While Rosenberg's tone is sober, it is as always adamantly personal as he explores and interprets the testimonies and documents. He does not primarily search for emotions, experiences, and injuries from the time in the camps. Instead, he mainly looks for his father's motivation, strategies, and state of mind in relation to the reparation process (which seems to be a central factor in relation to the suicide).

Rosenberg writes whole passages in the second person singular, addressing his father, whose voice is distressingly absent in the strangely empty documents in which he himself states his experiences and injuries:

Reparation demands words for everything, even for things for which there are no words, or any rate, no words that can break through the confusion of languages.

So on August 27, 1956, you put German words to your injuries and suffering.

*Kurze Schilderung des Verfolgstatbestandes unter Darlegung der gelten gemachten Körperschaden.*

I can find no words in my own language for such a sentence. (290)<sup>34</sup>

And indeed, this is the only place where a source quoted in German is not translated or at least paraphrased in the text. Almost echoing the narrative strategy of indirection that we see in Sebald's *Austerlitz*, Rosenberg continues:

In the ghetto you were forced to work far beyond what you had the strength for, you write. In the ghetto you were severely assaulted by an SS man, you write. In Vechelde bei Braunschweig you were forced to work very hard and were very hungry and weak, you write. When you were unable to get up one morning, you were called a malingerer, beaten repeatedly about the head, and dragged to work by force, you write. As for Auschwitz, you write only that you were delivered there and sent on from there. (290)

The "confusion of languages" (*språkförbistring*), the inability to convey the reality of what happened is emphasized by the repeated "you write" (*skriver du*). Continuing in a sober and decidedly "direct" tone of voice, Rosenberg describes how the report by the doctor (a Dr. J. Lando in Stockholm, who has been seeing David Rosenberg for several years about headaches and depression) finally estimates his work capacity to be reduced by (a seemingly random) "at least 50 percent." But he also notes how that does not correspond with the impression of the German *Vertrauensarzt* Dr. Lindenbaum, whose diagnosis of David Rosenberg is that he exaggerates his difficulties and suffers from a so-called *Renten-Neurose* (pension neurosis, or in Swedish, *försäkringsneuros*).

Carefully quoting Dr. Lindenbaum's report (in translation as well as in German), his expert testimony, Rosenberg reflects that it is unclear how Dr. Lindenbaum arrives at the numbers and dates on which he bases his overall assessment:

The reduction in your working capacity as a result of Auschwitz is thus, in his judgment, 0 percent after January 1 1948. How Dr. Lindenbaum arrives at this date isn't clear. Nor how he can determine that your working capacity is reduced by 100 percent in 1945, by 60 percent in 1946, and by 30 percent in 1947. (293)



Even scientifically established facts delivered to us by expert witnesses turn out to be opaque and unreliable—and justice likewise. A central aspect of trauma theory is, as we have seen, the question of representation and language. Rosenberg also dwells on the question of language and on the issue of unrepresentability. This is a central issue in relation to the application for reparations, for pain and fear have to be communicated in unambiguous, clinical terms, in German, and preferably also in numbers.

While including and evoking canonized testimonies and the discourses and cultural memory content related to them, Rosenberg's book subsequently shifts its focus. The emphasis moves towards the legal aspects of survival and witnessing and to the different functions of eyewitness and expert testimony both in relation to the application for reparations and in applications for entry visa, residency, and citizenship.<sup>35</sup> Accordingly, testimony is reframed as valuable source material and evidence that can be used for different purposes, rather than emphasizing the structures (let alone the poetics) of trauma that are also clearly at stake here.

In an interesting parallel to Sebald's *Austerlitz*, Göran Rosenberg's narrative also engages with a picture of the mother. The photograph of Hala Staw is blurry, like the film still in *Austerlitz*, and is taken in a graveyard in Poland, where Hala Staw has buried her sister Sima. Rosenberg's mother is an interesting presence in the story. Like David Rosenberg, she also lived through the experiences of deportation, of suffering in the concentration camps, and of exile—and she is still alive in the author's present and presumably able to bear witness. In the afterword, he begins his acknowledgments by thanking his mother "whom I have plagued for years with all manner of questions, reasonable and unreasonable, and who has without reservation placed at my disposal the letters and documents she has preserved" (326). Although we can assume from the information we are given that Hala's journey (and her loss) was no smaller than her husband's (whom she also lost in the end), we do not learn much about her experiences. Presumably, this is because she is able to speak for herself and to tell her own story, and because the purpose of the book is understanding the father's suicide.

The passage in which the photograph appears is actually about her sister, Sima. The photograph is introduced and described on the previous page, beneath another photograph of her sister working at the Lodz ghetto administration's orphanage<sup>36</sup>:

One last photograph of a woman, very blurred, and in fact not of Sima but of the woman who is to be my mother. It's taken in the summer of 1945 in the Jewish cemetery in the city of Ślupsk, which until recently was a German city called Stolp, and where the Jewish cemetery was filled mainly with men who had given their lives for *Das Vaterland* in the First World War. In the last week of June 1945, a month and a half after the German surrender, Sima Staw, born August 2, 1920, is buried here. In the blurred photo, the woman who is to be my mother is sitting at her grave. (202)

Here we find an important difference from the Swedish text in the translation. In the Swedish original, the first sentence reads: "*En sista bild av Sima, mycket suddig, inte av Sima egentligen utan av kvinnan som ska bli min mor*" (Rosenberg 2013a, 182). In English, it reads, "One last picture of Sima, very blurred, not of Sima in fact but of the woman who is to be my mother" (my translation). "Sima" is changed in Sarah Death's translation to "a woman," and the meaning of the passage shifts from being about the fate of Sima (described on the previous pages), who is here photographed in death, so to speak, in her grave, to being about the mother of the author. In the original text Hala appears only indirectly.

Until this point Hala Staw has mainly been the addressee of David Rosenberg's letters, and the writer of sparse replies, which are not analysed in detail. And she quickly fades out of focus again as the text continues:

I'm amazed that the Nazis have left any part of the cemetery untouched (the oldest part is confiscated by the Gestapo in 1942, who turn the chapel of rest into accommodations for civilian forced labour), that they have not taken the opportunity to obliterate the traces of those already dead as well.

In the blurry picture, row upon row of tall gravestones.

When, much later, my sister Lilian tries to find Sima's grave there is no grave to be found. In the 1970s, the Jewish cemetery in Ślupsk is razed to the ground. The gravestones are turned into fragments and building material, the cemetery into something else. (ibid.)

From focusing on Sima and the Staw sisters, our attention is now drawn to the cemetery and its history from World War I to its razing in the 1970s (including World War II, Sima's burial, and the visit from the author's younger sister Lilian about which we have no date but only the infamous "much later"). Hala Staw, the lonely figure in the graveyard

who will not quite come into focus, demands the reader's attention but is not dealt with until a few pages later:

Sima dies in a German hospital, which for Hala is a sufficient cause of death.

Hala Staw is not yet twenty when she, alone, buries her sister in the Jewish cemetery in Słupsk.

Though not all alone. Someone takes that blurred photo by the grave. Perhaps someone also takes her arm as she rises to go on. (205)

Now, finally, the woman in the blurry photograph is the focus of the author's attention. Yet the image remains vague. Despite the fact that we have a living witness, the information we are given about the experience of Hala Staw is sparse and supplemented by guesswork.

The photographic evidence places Hala Staw in the Słupsk cemetery through the photochemical imprint that—as Hirsch notes—connects index and image. However, the poor quality of the photograph and the blurry features of the woman demand the picture's authentication by someone who can tell us what is in it—in this case most likely Hala herself. It may prove (or at least support the claim) that she was there. Yet it is also used to suggest something that is in fact outside its representation and connected to an aspect of the medium (in a time before surveillance cameras) that has been given less theoretical attention: someone else was there as well. Someone must have taken that picture, and therefore, Hala Staw was in fact not alone in that graveyard. This leads the author to speculate—or hope—that he or she could also have been a comfort and support. However, despite the fact that Hala might be able to answer this question, it is not confirmed.

We know very little of Hala's suffering, which is also largely absent from her letters. Regarding her journey to Sweden, most of the emphasis is placed on the obstacles and the improbability of such a venture. Her journey from Auschwitz and onwards to Sweden is reduced to a few brief passages:

Everything does work out in the end, but not in accordance with any of their plans. Not the plan for Hala to go to Gdansk or Gdynia to get smuggled on board a ship to Sweden. Nor the plan for David to join the crew of a ship to Poland and smuggle Hala aboard. Nor the plan to find a Swedish citizen who will stand surety of ten thousand kronor for Hala.

Everything works out by dint of two lies.

She gets herself from Poland to Germany as a Polish citizen of German ethnic origins, and she gets herself from Germany to Sweden as Hella Cwaighaft.<sup>37</sup>

Perhaps no more needs to be said about how the woman who is to be my mother comes into the picture. (207–208)

But why does no more need to be said? Here, an extraordinary story is reduced to bare facts that can be established by official documents. Yet the final sentence suggests that the experience and emotions of Hala Rosenberg, alive in the present, are carefully downplayed rather than neglected. They are almost tenderly protected, as her story is limited to what “needs to be said.” Hala, it seems, remains *purposefully* blurry. While the aim of the book is to close in on the fate of the dead father, the opacity of the mother’s story seems to be carefully constructed.

Sebald’s image of the woman that Austerlitz believes to be his mother both reveals and obscures the genuine historical existence of the anonymous woman in the picture by means of layered mediation and strategies of hybridization between fiction, performance, and documentation. Rosenberg on the other hand, has direct access to the woman in the photograph. But he narrates the details only to the extent that they seem necessary for the story of his father. A central difference, then, is the responsibility in the present not just for the legacy of the past, but also for someone real, specific, and present, to whom this history still belongs. In subtle contrast to the missing testimony of the father stands the limited and carefully introduced presence of the mother—a missing testimony of another kind.

### ROADS, RAILS, AND BORDERS

In Chapter four, “The Road,” we follow the narrator’s journey in his father’s footsteps. Rosenberg investigates his father’s journey along a strange and winding road determined by coincidence and accidental occurrences. This chapter is, in my opinion, the strongest part of the book. Literally tracing his father’s journey through the winter landscapes of Northern Germany, Rosenberg’s investigation is not so much concerned with establishing the facts (Liedke provides them in abundance). Instead, the author is looking for material traces of the past in buildings and landscapes, evidence of memory work, and mechanisms of

deterioration, decay, and remembrance. Rosenberg lays out the facts and reflects on documents and connections between events.

The railroad takes David Rosenberg from Auschwitz to Braunschweig whence he is delivered to Vechelde (Unterkommando of the slave labour camp in Schillstrasse, an Aussenlager of KZ Neuengamme) to work for the Firma Büssing truck factory. The camp is evacuated in March 1945 because of an Allied bombing, and David Rosenberg is transported to Aussenlager Salzgitter-Watenstedt where he is put to work for the Reichswerke Hermann Göring. Just before American troops occupy the Reichswerke, David is again evacuated, but this time not for another labour camp. The war is now ending, the systems of slave labour and annihilation are breaking down, and the goal is to cover the tracks. The train crosses large parts of Northern Germany (with no food, water, or latrines) “searching for a camp or a grave to dump its cargo in” (129).

The systematic nature of the Nazi annihilation policy is contrasted with the random events that, against all the odds, opened a road from Auschwitz at the end of the war. This journey traces historical coincidences that govern memory work and historical justice in desolate landscapes, examining forgotten corners of a familiar history. Guided by Polish Dr. Karl Liedke, Rosenberg visits the camps, the train stations, and the memorials on his father’s road from Auschwitz. The testimony of Georges Salan and letters from David Rosenberg to Hala supplement the historical research provided by Liedke and are connected to contemporary traces in landscapes and buildings changed by modernization, decomposition, and memory work.

After leaving the labour camps on the so-called “death train,” the prisoners are left to travel randomly through the landscapes of Northern Germany with no specific goal or purpose other than to disappear. Karl Liedke has given Rosenberg a map of the route, which is included in the book (109). Thus the reader is visually exposed to an image which testifies to the chaos of the last days of the war.

In Uchtspringe, the death train stops for a while and unloads the bodies of 66 people who have died on the train. Following the route of the train, Rosenberg locates the old station house: “The roof has sagged inward, the grey plaster has flaked off, the windows are boarded up, the canopy that extends over the waiting area by the former platform is damp and rotten” (130–131). The old sign in front of the building reads “Uchtspringe” and is supplemented by a newer sign put up in front of the building by Deutsche Bahn saying, “*Unfallgefahr. Betreten*

*für Unbefugte verboten*” (131). This is illustrated by a photograph presented below the description. The Deutsche Bahn sign is just large enough for the words “*Unfallgefahr*” and “*Bahnanlage*” to be legible (supporting and authenticating the description above). But the reader may also notice that there is in fact more text on the sign, left out by the author. This omission invites the reader to look for more information in the image than that which the text provides. Rosenberg writes,

I look for the memorial to the 66 men from your train who are buried here and find a reddish-brown sign with a cross and the word *Kriegsgräberstätte*, ‘War burial site,’ with an arrow pointing up a small hill. I trudge up the 250 snow-covered meters of the scarcely discernible path from the road to the top and find a narrow walkway lined with small thuja trees, at the end of which stands a brick-built grave monument with a polished plaque in black stone. Sticking out of the snow at the foot of the monument are the pine twigs of a wreath. On the plaque, six words are engraved: *HIER RUHEN 66 OPFER DES FASCHISMUS*. ‘Here lie 66 victims of Fascism’. (132–133)

This passage is followed by a photograph of the memorial with the text clearly legible. While Rosenberg is “touched” by the exact figure which stands out in a narrative of accidents and uncertain data, he is unimpressed with the effort of “the good citizens of Uchtsprunge” (“*de goda medborgarna i Uchsprunge*”). This is because the text indicates that for the citizens of Uchtsprunge, “National Socialism was the history of another Germany” (133). As citizens of the DDR, “theirs was an unbroken struggle against ‘fascism’, which was,” he indignantly writes, “the shameless lie that for four decades undermined the memory of what actually happened” (ibid.).

Historical coincidence and postwar politics determined how the event and its victims would be remembered:

In the months following the end of the war, the armistice lines between the armies of the victorious powers were tidied up a little, and some troops were moved around. On July 1, 1945, American troops moved out of Uchtsprunge and Soviet troops moved in, and sixty-six men in a mass grave were transformed from victims of the German Reich to victims of ‘fascism’. (134)

The photographs stand as documentary proof of the author’s journey, as illustration of the text, *and* as evidence supporting Rosenberg’s

accusations against the people of Uchtspringe. At the same time, their presence in the narrative serves to revive forgotten places and peripheral histories, making memory travel once more, and giving the derelict train station new meaning as it is reconnected with its troubling history.

The prisoners are finally unloaded in the Ravensbrück concentration camp and here the randomness that determines survival and justice reaches a new level. How do you survive Auschwitz? By accident, Rosenberg argues. The purpose of Auschwitz is the annihilation of the Jews and any road from Auschwitz goes directly against that purpose—and is accidental and statistically unlikely. The road that takes David Rosenberg from Auschwitz to Södertälje is winding and full of random occurrences. The most fascinating of these is perhaps the delivery of 5 kilo food parcels from the Red Cross to Jewish inmates in Ravensbrück. The author studies a document, a handwritten list compiled by the SS in Ravensbrück, bearing the names of David Rosenberg and his brother Natek (here Nathan). Beside the names, dates of birth, and prisoner numbers, “is a firmly penciled check mark, although not by the non-Jewish names” (135). The author comments that if he did not know what he knows, he would have assumed that the markings meant the Jewish prisoners were selected for a fate worse than the other prisoners. But “in Ravensbrück the unimaginable happens: the Jews are selected for a better one” (*ibid.*). The Jews are given a food parcel from the Red Cross. “How is it possible?” Rosenberg asks. “Who has the authority to order such a thing?” The complicated political manoeuvres that place the food parcel in the hands of David Rosenberg are briefly summed up and emphasize how large-scale historical events and decisions that have nothing to do with individual prisoners may end up determining who lives and who dies. It is, the author notes,

a story in itself, and it’s really not about you or any of the Polish Jewish men aboard the meandering train of freight cars from Aussenlager Watenstedt, but in Ravensbrück the food parcels and your road from Auschwitz just happen to cross paths. Those food parcels are a big thing, probably decisive to your survival, and the events associated with them remain vivid in your memory. (136–137)

After travelling on the death train, being presented with a parcel of chocolate, kosher food, and American biscuits and cigarettes is almost unbelievably unlikely. David Rosenberg believes (we learn from a later letter

to Hala) that he is now to be saved as he is placed on a train supposedly for Sweden (on which, as if to emphasize how extraordinary it really is, a former Kapo has the Jews sing the Zionist anthem with two members of the SS presenting arms). The train turns back, however, apparently because of Allied bombing, and David Rosenberg ends up in the concentration camp Wöbbelin instead. The difference between salvation and yet another place of illness, starvation, and death is a matter of coincidence and determined by random occurrences. The small-scale story of the individual victim is linked here to wider historical contexts that determine—seemingly at random—where he goes and whether or not he survives.

The author also travels from Ravensbrück to the concentration camp of Wöbbelin but goes by the idyllic city of Ludwigslust where the central common is covered by 200 graffiti-proof gravestones. The town's inhabitants (forced by American troops) dug the graves; the dead are from nearby Wöbbelin. After the liberation, the population of Ludwigslust was ordered to visit the camp, and the author refers to a photographic record of this event.<sup>38</sup> These photographs from Wöbbelin are not included in the narrative. While the descriptions of Wöbbelin are the closest we get in the book to a representation of the horrors of the Holocaust, attention is primarily drawn to the later historical treatment of these events and the memory work that follows. The text describes documentary footage from the mass burial in Ludwigslust of citizens "filing past the shrouded bodies" (143), and *this* is then shown in a film still on the following page. In these passages a stark contrast is evident between Wöbbelin and Ludwigslust and between the shrouded dead with exposed faces and the well-nourished and well-dressed citizens filing past. "Never again," the text right above the picture says, "shall they be able to stroll under the linden trees in the parkland between the palace and the church without being reminded of the atrocities in Wöbbelin" (144). The fact that it is a film still emphasizes the movement of the people filing past. But particularly as the citizens are dressed in their best clothes, it also recalls their imagined "strolling" in the park. Its inherent temporality also suggests the filing past of time and memory, which is exactly what is discussed as we read on. On the following page, the author discusses how the crosses and Stars of David that mark the graves are later removed and "the blatant lie (we knew nothing and could do nothing) settles like thick grass over the memory" (145).



The author then drives on from Ludwigslust to Wöbbelin. The mass graves have been covered by trees and have a new memorial stone—"covered in some kind of graffiti-proof substance, the snow slips off so easily" (153)—and there is a signpost pointing to the graves. "There is another stone, visibly older and more like an ordinary grave stone, standing discreetly a little farther in among the pines, the words engraved in it already rendered illegible by dirt, moss, and neglect" (ibid.). Furthermore, the memory of the camp is secured by a museum—built by the Nazis in memory of nineteenth-century German poet Theodor Körner (quoted, we learn, in Goebbels' infamous speech of February 18, 1943, "*Wollt Ihr den totalen Krieg?*"). While the exhibition about the history of the concentration camp "is a powerful display with all the photographs and documents one could possibly ask for" (154), no spatial distinction is drawn between the two exhibitions and "on the front wall it still says only *Unserm Theodor Körner*" (ibid.). In these passages the author reflects on the layers of memory work and forgetfulness in relation to natural processes of growth and decomposition. He does so by focusing on the spatial layouts, the textures, and the surfaces of memorials and museums. The processes that slowly wear down or break down traces of the past are connected to a wish to forget the painful past in the phrase "after all, who wants to remember Wöbbelin," which echoes through these pages.

In this chapter the author brings together information provided by Karl Liedke and testimonies from French survivor Georges Salan and David Rosenberg, as well as his own observations made on his journey, weaving a complex texture that explores the surfaces and layers of history. This intricate interweaving of past events and present investigations both reveals a strong concern with historical justice and memory work and explores how the past is inscribed in landscapes, monuments, and buildings. Also investigated is how the past is covered, revealed, and reframed with the passage of time by way of pragmatic, natural, political, and cultural developments. The history of the Holocaust is therefore inscribed into a longer history of postwar Europe that is scrutinized on a micro level through inscriptions, landscapes, and buildings old and new. Here, the book resonates with a forensic understanding of the object as carrying the layered traces of the events and environments that surround it. The objects carry information that can potentially be decoded, and this gives them potency and a sense of their functioning as material

witnesses. As such they add their “voices” to the testimonial patterns of the book.

Specifically, a returning motif involves the old railroad, the overgrown tracks, and the station buildings left to fall into ruin as the routes are straightened and the tracks moved. These tracks witnessed the transportation of the victims of Nazism, and their presence in the book recalls the Holocaust, the movements of exile and migration, and the processes of modernization that followed. The railroad goes all the way from Lodz, through Auschwitz and the camps to Södertälje. The history of the Swedish town is also tied to the developments of the railroad, and it becomes a node of metonymical connections, while physically connecting the important places in the book. In this chapter, the empty station buildings that dotted the road from Auschwitz and where local communities were forced to face the reality of the “death train” (Semprún also addresses this in *the Long Voyage*) come to represent a history that is physically sidetracked by modernization. In Wöbbelin, “[t]he siding that led to the camp has been demolished, as has the old railroad line; only a walled-up, red-brick station building is left standing desolately by the embankment. No train stops at Wöbbelin anymore” (154).

The author goes on to note a curious fact

[A]s late as November 26, 1946, a reminder is sent from the Eisenbahn-Gesellschaft Altona-Kaltenkirchen-Neumünster to Herrn Oberfinanzpräsidenten Hamburg concerning a bill of 1728 German Reichsmarks for the conveyance of 2 officers, 84 men, and 576 prisoners from Bahnhof Kaltenkirchen to Lager Wöbbelin Bahnhof Ludwigslust, on April 16, 1945. ‘This bill,’ the railroad company emphasises, ‘has been neither wholly nor partially withdrawn or annulled’. (ibid.)

This document reminds us—in line with Améry—that not all accounts of the past have been settled—and that maybe they never can be. On this note, the author turns around and goes back to Sweden. There follows a photograph of the station building: the railroad disappearing into the horizon suggests movement, travel, and progress, leaving the derelict station building standing in the snow.

In “The Road,” Göran Rosenberg also stages a kind of literary trial against Rudolf Egger-Büssing, director of the Büssing factories, who was never brought to justice.<sup>39</sup> The trial is based on evidence of varying legal worth: the testimony of a truck driver; memorial stones of victims from

the camp (supplemented by a photograph of a memorial stone with a Star of David, presumably taken by the author); documents ordering a transport of 200 labourers to the concentration camp hospital; and finally, Georges Salan's testimony *Prisons de France et Bagnes Allemands*. In an echo of the adversarial structure of a trial, the author then states the case for the defence. He suggests that one could argue Firma Büssing saved the prisoners from the gas chambers of Auschwitz.<sup>40</sup> The author concludes by noting that the involvement of Firma Büssing in the Holocaust had hardly any legal consequences for the people responsible. Back in the present, he turns to the memorial in front of him where Christoph Egger-Büssing, the grandson, finally passes judgment.

The point here is not to establish the facts and prove the guilt of Egger-Büssing, just as the point of the book is not to testify to the reality of the Holocaust. It is rather to point to the absurdity of postwar politics where justice was handed down pragmatically according to the level of the perpetrator's usefulness. The question of justice is emphasized by the contrast with another legal issue presented at the beginning of the chapter—a speeding ticket received by Göran Rosenberg on his journey:

In a letter bristling with official crests, enclosing pictorial evidence, that finds its way with impressive speed to my home address in Stockholm, Frau Gorny brusquely informs me that on 4.3.2005 at 12:49 I infringed §55 of the law pertaining to violations of the public order, *Gesetzes über Ordnungswidrigkeiten*; I'm exhorted to admit my guilt by return of post and to pay what it costs (€225.60). It's a formal correct letter, addressing me as 'highly esteemed Herr Rosenberg,' and offers me the option of denying the charge within one week. (103)

Caught on camera, Göran Rosenberg's name and face are tied to his offence and to the scene of the crime (no testimony needed), yet the formal letter, placed in the context of the author's investigation, prompts questions about crime, guilt, and justice. It invokes and troubles hierarchies of power and history as the German authority, addressing the Jewish criminal in a highly civilized and official tone, simultaneously testifies to the difference in historical circumstance between the events investigated and the context of investigation. Thus, it carries a legacy of the past. Even the "confusion of languages" remains a troubling condition:

The pictorial evidence is incontrovertible, but I do react slightly to the German legal terminology for my crime, where *widrig* in my language (*vidrig*) means ‘repulsive’. This is not proportionate to the crime in my view. Particularly not to a crime committed on this road, which is the road from Auschwitz [...]. (103)<sup>41</sup>

The transgression committed by Göran Rosenberg and his reflections on the official documents pertaining to this small-scale offence throws into relief the fact that Egger-Büssing was, despite his involvement in large-scale atrocity, never tried and never brought to justice.

Although this is a book motivated by personal loss, it is not just concerned with intimate memories and the ethics of remembering but also with postwar politics and the political aspects of memory work in the present. The book’s engagement with the experience of David and Hala emphasizes the importance of *all* the factors that shaped their lives before and after their imprisonment. David Rosenberg’s frustration and pain is not merely about his experience in the camps. It is also connected with the gradual destruction of his homeland, family and language. He also suffers problems with creating a new life in Sweden after the war and with gaining recognition from a German state that granted amnesty to perpetrators.

*A Brief Stop on the Road from Auschwitz* does not chiefly deal with Auschwitz, nor with the road from the camps. From beginning to end, it addresses “the stop”—Södertälje, Sweden—which set the stage for the author’s childhood and for David Rosenberg’s attempt to create a new life. The portrait of Södertälje is, of course, shaped by the author’s memories, but it is also scrutinized from the outside through newspapers and documents. Based on these sources, the author compares developments in Sweden with what is going on in the rest of Europe. At the same time he makes claims about Swedish politics and culture from the 1930s to the 1960s, tying the book’s concern with travel and transport to the issue of political, cultural, and linguistic borders. I will briefly discuss two examples of this.

First and perhaps most strikingly, the refugee camps in Sweden are implicitly compared to the concentration camps at the end of the war as the Jews are in both cases “transported” around a “camp archipelago” where they are not wanted and where no one seems to know what to do with them. The terminological parallel troublingly suggests that the Jews are still positioned outside the society that surrounds them, distrusted and without a clear legal status and identity.

Hence, as the author traces his father's early years in Sweden, he relies not only on work permits, and applications for residency and citizenship, but also on articles, debates, and statistics from the Swedish newspapers about the presence, treatment, and categorization of Jewish survivors in Sweden:

There is no given term for people in your category. The official documents are stamped RED CROSS REFUGEES, but refugees you are not.

If only you had been. If only you had fled while there was still time.

But you didn't flee, you were transported, which is something else, particularly if the purpose of transport is annihilation. You aren't immigrants, either, not in your own eyes, nor in the eyes of Sweden. You haven't come here of your own free will or under your own steam, but again by being transported, from one camp to another, from a camp in hell to a camp in the land of the vast forests, which out of a combination of magnanimity and guilt has offered you a temporary stop while you're waiting to journey on to somewhere else, and which therefore designates you as transit migrants or repatriandi. (187)

As we have likewise seen, Hala's journey to Sweden depends on shifting her status by changing her name in order to fit into categories that allow her to travel across national borders.

Second, the book critically reflects on the contrast (strikingly evident in local newspapers at the time) between a thriving suburban Sweden and a war-torn Europe.<sup>42</sup> We read, almost incredulously, how the local plans and problems of Södertälje and world events in relation to which they seem grossly out of proportion, are presented next to each other:

What strikes me is how casually the two worlds coexist on these front pages: the small world and the large, the ax blows and the world fire, the survival and the destruction, the self-evident and the inconceivable. I'm also struck by how much of the inconceivable is actually published, sometimes splashed across the whole front page in big black headlines. On December 12, 1942, three columns are devoted to the fact that a million Jews have 'died' in Poland. The statement itself is short and laconic, its source the Polish government in exile in London, and there's no explanation of how and why a third of the Jewish population of Poland has suddenly perished [...] The next column reminds the readers that the balloting to choose who will wear the crown of light in the 1942 Södertälje

Lucia procession will close at nine that evening, and that the candidates will be at display at 7:30. (82)

The book also reflects on the economic boom in Sweden after the war as Swedish companies benefit from the need to rebuild European infrastructure. This is particularly troubling in the case of the truck company Scania Vabis, where an increasingly frustrated David Rosenberg is a valued employee due to his wartime experience in truck company Firma Büssings in Braunschweig, Germany. Nonetheless, David Rosenberg is never promoted—maybe because of racial prejudice—again adding a layer to the historical circumstances that cause him to kill himself.<sup>43</sup>

Throughout the book, the parallel is present, as swift economic growth in Sweden is contrasted with the poverty of a Europe in ruins, and as the experiences of Hala and David remain incomprehensible to their local community. The borders between worlds, words, and spheres of perception are foregrounded as a troubling historical fact and also as a premise for the journey and illness of David Rosenberg. Hala and David live (or survive) on the border between Sweden and the world, between the local community and world history. That is, they dwell between different geographies, legal categories, and scales of history.

From this perspective, Rosenberg's book is not just a Holocaust book but a book about migration and transnationality. Rather than performing transcultural, hybrid identities, it highlights borders, legal boundaries, and the dynamics and hierarchies connected to categorization. The question of scale in terms of the Holocaust is regarded as a binary relation between the unfathomable masses and individual experience. Yet it is also viewed as a complex system in which random occurrences create subdivisions, groups, and levels amongst those that travel, settle, and change.<sup>44</sup>

## HOLOCAUST IN THE FORENSIC MODE

The question of scale is also central to two other works about the Holocaust written in the forensic mode. To conclude this chapter, I discuss Daniel Mendelsohn's *The Lost* and Esben Søbeye's *Kathe, Alltid Vert I Norge*, exploring other ways in which books written in the forensic mode use evidence, documents, and testimony to reflect critically and carefully on the Holocaust beyond an aesthetics of trauma in the postgeneration.

In the family memoir, *The Lost*, six of Daniel Mendelsohn's family members lost in the Holocaust are traced through an investigation

of family archives and genealogical databases and through Mendelsohn's interviews with survivors across the globe. Mendelsohn's project focuses less on the atrocities of the Holocaust than on the process of imagining the personalities and daily lives of the lost relatives. In this way, the relatives' background can be deciphered from the very few traces left on the lives of others, inherited things, documents, photographs, familial habits, and tones of voice, which provide momentary insights into the world inhabited by the six victims. As Ann Rigney (2012) has pointed out, the question of scale is immensely important here: the book's subtitle, *A Search for Six of Six Million*, places the lost relatives within a larger historical narrative. But it also suggests that this narrative has become a cultural abstraction, perhaps obscuring the individual lives and experiences behind it. As an event considered mostly on a global scale, it becomes an abstraction lending itself to multidirectional appropriation and translation. In contrast, Mendelsohn scrutinizes every scrap of evidence, and his reflections and guesswork give the small details immense weight.

I will briefly focus on the passage from pp. 213 to 241, in which Mendelsohn interviews four survivors and discusses the "second Aktion" in Bolechov (particularly infamous for its brutal murders of children). This event killed both Ester and Bronia Jäger, the mother and youngest daughter of the family. In the passage, Mendelsohn introduces historical research on the second Aktion,<sup>45</sup> eyewitness reports, and testimony given by Rudolf Höss, the commandant of Auschwitz at the Nuremberg trial. He also includes a photograph. The picture shows Shmiel (the father), Ester, and Bronia and both the picture and the inscription on the back are printed in this passage. This pictorial evidence serves as proof of the existence of the lost family members. The author's careful scrutiny of the evidence is implied by its repeated presence and the fact that the inscription is enlarged here in relation to an earlier appearance in the book. This strategy suggests that the evidence holds layers of information that are complicated to decode.<sup>46</sup>

By mixing various forms of evidence, Mendelsohn approaches the story of the six through a number of different entry points. The story thus oscillates between the large-scale historical narrative of the six million and individual testimonies, closing in on Shmiel, Ester, and Bronia, and trying, it seems, to catch glimpses of them through the fissures and openings in between. Based on the information Mendelsohn has at this point in the narrative, he tries to imagine what they might have felt, done, and experienced during the second Aktion.

Interestingly, we find out later that most of what Mendelsohn imagines turns out to be wrong. Shmiel, for instance, did not perish until later. Hence, as Mendelsohn gathers new information, he revises his account and continues to do so until the very end. The final correction is found in a postscript to the book written in February 2007. Here he writes that after the first publication in September 2006, a reader contacted him with information about Bronia's death. Contrary to what was previously assumed (but perhaps unsurprisingly), Bronia died in the round-up of the Aktion and not in the gas chamber. Concluding the main text (of this 2008 edition) Mendelsohn writes:

And because I know this concrete fact now, I am also forced to speculate about something that can never be proved, but which is almost a certainty: that whatever my aunt Ester – Ester Jäger *née* Schneelicht, to give her her due, a forty-six-year-old mother of four, a matron of Bolekhov who was a good wife and fine homemaker, who very likely crocheted to pass the long winter nights, who *had two such pretty legs* and who once added a postscript to a desperate letter that made its way to New York, a postscript that somehow, somewhere got lost, which is why nothing of that woman's thoughts survives today – that whatever my aunt Ester suffered during the dreadful ending to that life, she suffered alone. (Mendelsohn 2008, 510)

Mendelsohn's description of Ester Jäger is followed by an image of the document which provides the information about Bronia's death. This new document tells us that Bronia, the youngest child, died in September 1942 in the round-up of the second Aktion. It *suggests* much more, however. The evidence causes the reader to do what Mendelsohn himself has done throughout, which is to go back and re-evaluate the consequences of this new bit of information. For one thing, the evidence suggests that Bronia's death was a brutal one. The horrible descriptions of the second Aktion take on new significance as we try to place Bronia in the middle of it. It also means that Ester, the only family member to be taken to a concentration camp, experienced the train ride and the gas chamber all alone. All the information that Mendelsohn has gathered about Ester over the previous p. 500 is summarized in the quotation above. This stresses how little we have really learned. Nonetheless, the everyday details and personal emphasis that the sheer volume of the book and emotional content of the interviews provide give Ester a strong presence. For this reason, her lonely death is felt acutely by the reader. Even



more suggestive is the fact that because Bronia died so young, she does not even get such a summary: there is simply nothing to say. Hardly any of the interviewees remember her existence at all.

In *The Lost*, the question of scale is also emphasized by the materiality of the book. Its sheer volume stands in stark contrast to the lack of information found in the course of the investigation. The six lost family members can still be described in a few sentences each. In Esben Sørbye's *Kathe, Alltid Vært I Norge* (2005) the opposite is true. The book is an investigation and sparse biography of 15-year-old Jewish schoolgirl Kathe Lasnik who was deported from Oslo to Auschwitz and killed on arrival along with the other women and children. The book is short and precise, weighing almost nothing.

In the first part of the book, Sørbye describes his own point of entry into the story of Kathe Lasnik. On the very first pages, he explains that the idea for the book came when a colleague who wanted to know what role statistics played in the identification and deportation of Jews during World War II contacted him. Sørbye describes how, during his investigations into this issue, he encountered a form filled out by Kathe Lasnik in November 1942, only two weeks before her deportation. The form, which applied to all Norwegian Jews over 15, was used when the deportation was executed. On the form, Kathe Lasnik writes very little. Except for her name, address, and religious affiliation, she writes only that she is unmarried and goes to school and that her nationality and citizenship are Norwegian. On the question "When did you come to Norway?" ("*Når kom De til Norge?*") Kathe answers, "always been in Norway" ("*alltid vært i Norge*"). The form invites several questions. If she had not filled out the form when she did (she filled it out late because she had to turn fifteen first and ended up handing it in just before the deportation), could she have survived the war? Moreover, why did she reply the way she did to the last question? Was she simply being meticulous, or did she try to emphasize what she had already written, that she was Norwegian and had never been anything else, hoping that this would save her? The form catches Sørbye's attention, so he orders a copy. He starts his investigation and finds her name in various memorial tablets, but when he gains access to a box in the National Archives, supposedly containing all her confiscated possessions, it is entirely empty. The empty box fuels Sørbye's urge to research Kathe Lasnik. He wants—like Mendelsohn—to find out everything he can and make her individual story reveal what statistics do

not show and to highlight what statistics really mean in terms of individual human lives.

The investigation of Kathe Lasnik poses problems similar to those confronted when Mendelsohn investigated Bronia Jäger: they are both young girls whose lives have been so brief as to leave hardly any traces in official records. A central difference is that Kathe who lived her life in comparatively peaceful Norway is actually remembered by old school friends as well as by her two surviving sisters, whereas Bronia is hardly remembered by anyone since all of her family members and close friends perished in the Holocaust. Søbye succeeds in creating a slim biography from the information he finds, which is more than Mendelsohn manages. However, family history and the historical context of the Norwegian deportations and their legal aftermath actually takes up more space in it than Kathe's story does. While, in *The Lost*, the limited information about the Jäger family is in stark contrast to the volume of the book, Søbye has created a small book that is discreet and modest like its main character. The title refers to the form that initiated the investigation, a form that carries the only personal statement directly from Kathe's hand ("*Alltid vært i Norge*"). The form also contributes to the impersonal statistics that are central to the mechanisms of her deportation and death, suggesting that the book could almost be reduced to that statement on its cover. The central tension explored in the book, then, comes from its point of departure in statistics. As with Rosenberg and Mendelsohn, Søbye foregrounds the relationship between individual life and world history. But where Mendelsohn's focus is on individual memory, engaging in, imagining, and *including* in his narrative a multitude of stories and experiences, Søbye reduces interviews to source material that is referred to in endnotes rather than becoming part of the narrative as such. Søbye's method is, as Anniken Greve puts it, "to respond to the difficulties of finding informative sources by sticking very closely to those that he finds, to glean as much as he can from them, and to stop there. He knows very little and adds virtually nothing" (Greve 2012, 171). By creating a slim, modest book, Søbye "respects the limitations of his sources [...]. He tells a story with many gaps, and he leaves those gaps open; the gaps are part of what we are invited to see and acknowledge" (Greve 2012, 173). The effect of this strategy is strangely similar to that of *The Lost* where the contrast between what we know and the volume of the text also draws attention to the gaps between the two.

Concluding the story of Kathe Lasnik, Chap. 29 of *Kathe, Alltid Vært I Norge* describes the arrival in Auschwitz. There are no more witnesses to the fate of Kathe. Instead, Søybye explains what other sources can tell him about the journey (two paragraphs) followed by three testimonies that take up exactly one page only. The testimonies are presented without any other introduction or commentary than the names of the witnesses (Søybye 2005, 122–124). After this chapter, the story of Kathe Lasnik is over, and what remains of the book is a discussion about the activities of the Norwegian police and the Liquidation Board for Confiscated Jewish Property. (In the middle of this discussion we find a section of pictures and documents conservatively grouped together and presented without page numbers.<sup>47</sup>) In these final pages Søybye discusses the trials of Norwegian police officer Knud Rød, who in spite of his role in the deportations of the Norwegian Jews, ends up reclaiming his post in the Oslo police department after the war. Søybye examines the various arguments that Rød, his defence counsel, and its witnesses brought to his defence. He concludes that perhaps the general attitude towards the Jews both during and after the war was much less sympathetic than anyone wants to remember. The main line of defence was that Rød helped the Resistance, and this ultimately outweighed the fact that he also deported a large number of Jews. As Anniken Greve argues, this “enables the reader to understand the significance of the lack of information about the role of statistics in the deportation of the Norwegian Jews,” which is Søybye’s initial motivation for investigating Norway’s role in the Holocaust and ultimately the story of Kathe Lasnik. “We recognize the connection between how Jews were treated during the war, how the people responsible for the deportations were treated immediately after the war, and the popular and historiographical lack of attention to the fate of the Norwegian Jews during the postwar decades” (Greve 2012, 168–169). The issue of statistics in relation to the deportations frames Søybye’s book and is linked to contemporary memory of Norway’s role in the war. As in Rosenberg’s book, the legal consequences of the Holocaust are questioned and the narrative positions itself as unflinchingly critical towards failed historical justice.

Though Søybye includes reflections on his own motivation and research process, this is not a focal point in the narrative, and unlike Rosenberg and Mendelsohn, he is hardly present in the main body of the text. After the first chapter, he steps into the background, letting the story of Kathe and her family dominate the narrative. Hence, according

to Anniken Greve, “the narrative never turns into a mystery story in which the author becomes the detective trying to solve the puzzle, nor does it turn into a by-now-familiar, postmodern, self-conscious meditation on the general problems of grasping the elusive ‘other’” (Greve 2012, 175). The narrators of *The Lost* and *A Brief Stop on the Road from Auschwitz* become detectives of sorts when reflexively considering the problems related to figuring out what happened in the past. Even so, I suggest that their aims are profoundly different from those of the “by-now-familiar, postmodern meditations” that Greve mentions here. Like Søybye, they insist that there is a historical past that can be approached through careful scrutiny of historical sources and with which it is important to engage.

Göran Rosenberg’s book is different from the other two in that his father, who is the subject of the book, survived the Holocaust. Because David Rosenberg lived on after the attempted annihilation, the author has quite a lot of information about his father and his fate, including his own and his mother’s memories. This is the case except in relation to his life before the war, which is hidden behind the Levian “wall.” Søybye and Mendelsohn, who face an almost complete lack of information and remembrance, have to deal more directly with the problem of representation addressed by Felman and Laub. One specific way in which they address that issue is through the materiality of their books. Both Søybye’s tiny, modest book and Mendelsohn’s heavy volume force the reader to reflect on the lack of information and the horrifying efficiency of the Nazi annihilation policy. It is also evident in the way these authors engage with the traces they do find and principally in their engagement with testimony. Søybye carefully reduces the few testimonies that are available to him to source material on which he builds his story. Mendelsohn, on the other hand, relates the many interviews with survivors in the text, including the setting in which they are delivered and his interviewees’ emotional responses. Mendelsohn consequently allows a large number of voices to speak through his text. This method makes his book about the experiences of “the lost” but also about the survivors and his own engagement with them.

Another central difference between the books is that Søybye is not related to the subject of his narrative. His interest in Kathe is not personal but historical. He has had no anecdotes, letters, or objects passed down to him from family members. Søybye’s investigation seems no less

urgent, however, as the chosen method of all three authors is transparent, self-conscious investigation and analysis of documents.

When we compare *A Brief Stop on the Road from Auschwitz* to Mendelsohn's family history and Søbeye's slim biography, we notice that Rosenberg's book has less in common with testimony and with post-memory writing than with a number of other recent works. These more current publications approach the history of the Holocaust analytically, archaeologically, and with a carefully marked distance from testimony and trauma-writing. They also show an interest in the material, juridical, and political aspects of memory work. Looking at testimony from a "forensic" point of view thus invites a reconsideration of the judicial and historical functions of testimony, to some extent detaching it from its heavy ethical obligations and its historical association with trauma theory. I submit that the forensic mode, rather than leaving testimony behind, reminds us of the differences between various forms and functions of testimony and reinstates it as an important judicial genre and historical source. To return to *Holocaust by Bullets*, mentioned in the opening of this chapter, the testimonies of witnesses—as opposed to victims—of the Holocaust, supported by material evidence and information from archival documents, provide new historical knowledge, serve as evidence against atrocities committed, and open up new points of view. Such testimonies are of immense historical importance but do not emerge or claim legitimacy from victimhood. *Holocaust by Bullets*, like *A Brief Stop on the Road from Auschwitz*, thus demands a more nuanced understanding of testimony, which recognizes that witnesses are not only victims, but also—in fact, usually and importantly—bystanders and other implicated parties. These testimonies are not inherently ethical but are essential for any public, critical, *forensic* evaluation of war and atrocity.

## NOTES

1. In his opening statement Chief Counsel for the United States, Robert Jackson proclaimed: "The common sense of mankind demands that law shall not stop with the punishment of petty crimes by little people. It must also reach men who possess themselves of great power and make deliberate and concerted use of it to set in motion evils which leave no home in the world untouched" (Robert H. Jackson Center 2016).
2. The trial of Adolf Eichmann was (and remains) the subject of debate largely because of Hannah Arendt's coverage of the trial as

a correspondent for *The New Yorker*, later published as *Eichmann in Jerusalem: A Report on the Banality of Evil*. Arendt's portrayal of Eichmann's apparent lack of malicious intent, his tendency to speak in clichés, and his ordinariness, gave rise to a new stereotype: the bureaucratic war criminal.

3. Another reason for focusing on witness testimony was that it was a means of justification for trying Eichmann in Jerusalem and not in an international tribunal. The claim was that Israel was the nation best suited to speak in the name of the Jewish people. This, in turn, also became a way of legitimizing the state of Israel through a narrative of Jewish suffering. In his opening statement, Hausner evokes the names of all those who died: "When I stand before you, judges of Israel, in this court, to accuse Adolf Eichmann, I do not stand alone. Here with me at the moment stand six million prosecutors" (Chakravarti 2008, 226).
4. Schabas notes that, in one of the last prosecutions at the ICTY (against the Bosnian Serb leader Radovan Karadžić) the judges returned to the precedent set by the Eichmann trial: "In the Eichmann case in Israel in 1961, Eichmann was acquitted of genocide for acts which took place before 1941 because the court found that up until that time the Germans were intent on displacing and expelling the Jews, but after the invasion [...] their program changed and they became intent on the destruction and killing and not allowing displacement. And therefore, Eichmann was convicted of genocide only for those acts which were directed a[t] destroying the group and not displacing it" (Prosecutor v. Karadžić quoted in Schabas 2013, 675).
5. Robert Jackson stated this quite clearly: "We have some regrettable circumstances at times in our own country in which minorities are unfairly treated. We think it is justifiable that we interfere or attempt to bring retribution to individuals or to states only because the concentration camps and the deportations were in pursuance of a common plan or enterprise of making an unjust or illegal war in which we became involved" (Report of Robert Jackson, United States Representative to the International Conference on Military Trials, quoted in Schabas 2013, 676).
6. In the preface to *If this is a Man* (*Se questo è un Uomo*, 1958) Primo Levi writes: "The need to tell our story to 'the rest', to make 'the rest' participate in it, had taken on for us, before our liberation and after, the character of an immediate and violent impulse, to the point of competing with out other elementary needs" (Levi 2006, 15).
7. Bauer, a social democrat who had been forced to flee Germany because of his politics and his Jewish origin, was one of the few jurists of the former Federal Republic who attempted to seriously prosecute those responsible for Nazi crimes. Bauer wanted to turn the proceedings into an

investigation of the “Final solution to the Jewish question” which had been implemented in Auschwitz. He therefore tried to involve experts from the Institute for Contemporary History in Munich. For him, the main consideration was not the sentencing of individual perpetrators, but providing historical clarification of what had taken place. This was also the case for survivor and representative of the Internationales Auschwitz-Komitee Hermann Langbein who provided much material for the trials and was central to the process of tracking down witnesses: “[W]e have the task of providing the raw material for future historiography. You know as well as I do: what happened at Auschwitz is so unbelievable that future generations will have to doubt it” (Hermann Langbein quoted in Wagner 2010, 350).

8. None of Auschwitz’s leading concentration camp commanders were still alive at the start of the trial. Others who bore chief responsibility (such as Josef Mengele) were able to flee and remain in hiding in South America. Richard Baer, the last camp commandant of Auschwitz, died in detention while investigations were pending and all legal action against him was dropped. The Frankfurt trials were therefore concerned only with some lower-level assistants to these camp commanders.
9. Aiming for the prosecution of individual criminal activity, the trial focused primarily on the evidence provided by survivors who had played some role in the camp, and who could give detailed evidence of the activities of the camp guards (Wittmann 2003, 94).
10. It also, at least potentially, opened up the forum to the public. As Jean-Paul Sartre announced in his inaugural speech at the first Russell Tribunal, they “would wish, with press collaboration, to maintain constant contact between ourselves and the masses all over the world who are painfully watching the tragedy in Vietnam.” He continues: “We hope that they will be learning while we learn, that they will watch and understand, and come to their own conclusions. These conclusions, whatever they may be, we would wish to be reached individually and independently of those we come to ourselves. This session is a communal undertaking [...]” (Bertrand Russell Peace Foundation Ltd. 2012).
11. Andreas Huyssen comments that “it is interesting to note how in the case of the organized massacres in Rwanda and Bosnia in the early 1990s, comparisons with the Holocaust were at first fiercely resisted by politicians, the media, and much of the public, not because of the undeniable historical differences, but rather because of a desire to resist intervention” (Huyssen 2003, 13).
12. *Primarily Trauma: Explorations in Memory* (1995) and *Unclaimed Experience: Trauma, Narrative, and History* (1996).

13. As Weizman has it: “International humanitarian law and human rights investigations [...] tend to extract an individual [...] from the messy physical or political ground in which they were embedded. Individual testimonies, recorded in voice or bone, were indeed useful in personifying histories of violence and making them affective. But by concentrating on the victim and by seeking to evoke identification and compassion, such accounts tended to mask the political context” (Weizman 2014, 25).
14. Stef Craps notes, with Allen Feldman, that the TRC were well aware that truth telling would not mechanically lead to social healing. However, the TRC did end up foregrounding memory’s therapeutic potential and this again dominated the discussions of the TRC in human rights debates and media representations (Craps 2010, 57–58).
15. Interestingly a memoir written by Eichmann in Jerusalem, which had been sealed in Israel’s National Archives, was released for the first time at the request of Lipstadt in connection with the David Irving v. Penguin UK and Deborah Lipstadt trial.
16. In June 2015 the Wiener Wiesentahl Institut für Holocaust-Studien hosted a conference posing this question. See also Dziuban (2017).
17. In *Contemporary American Trauma Narratives*, Alan Gibbs begins with a systematic criticism of Caruth’s rhetorical strategies, through which, Gibbs claims, she continuously slips from hypothesis to definitive statement (Gibbs 2014, 5–9).
18. Gibbs suggests that the concept of PTSD should itself be scrutinized. A central critique of this concept is “that PTSD is not discovered but invented, and that the collection of symptoms into a unified syndrome is artificial and self-perpetuating, with clinical diagnosis reinforcing the syndrome’s defining power” (Gibbs 2014, 3). Furthermore, this invention was not motivated strictly by clinical findings, but also by social and political agendas in the aftermath of the Vietnam War (see also Shephard 2002). Gibbs quotes Allen Young, who says that the concept of PTSD is assembled from the “practices, technologies, and narratives with which it is diagnosed, studied, treated, and represented and by the various interests, institutions, and moral arguments that mobilized these efforts and resources” (Young quoted in Gibbs 2014, 5).
19. Craps argues that this strategy for dealing with trauma privileges immaterial recovery “over material recovery—reparation or reinstitution and, more broadly, the transformation of a wounding political, social, and economic system” (Craps 2010, 56).
20. Kansteiner and Weilnböck mention Roger Simon’s studies of representations of human rights abuses in museum exhibitions. Simon advocates, they state, “the creation of memorial spaces which avoid the normalizing, sedative power of narrative” (Kansteiner and Weilnböck 2008, 232–233).



21. A “much cited instance,” as Stonebridge indicates, was when the writer and survivor Ka-Zetnik collapsed at the Eichmann trial: “Unable to speak any longer, what he testified to was not the story of Auschwitz but the sheer difficulty, some would say the impossibility, of putting the experience of the camps into the language demanded by law” (Stonebridge 2014, 3).
22. Gibbs recognizes (with Luckhurst) that in early trauma texts, this was a “pioneering aesthetic” employed to “politically radical effect” (Gibbs mentions, among others, Kurt Vonnegut’s *Slaughterhouse-Five* and Toni Morrison’s *Beloved*). But he suggests that once these techniques had been recognized and further canonized, their effect “was blunted” (Gibbs 2014, 27). Gibbs notes, however, that it is also important to remember how “vicarious suffering—corralled and transformed into a sense of collective victimhood—may also be employed to provide spurious justification” (Gibbs 2014, 21) for political action. His example is 9/11 and the invasions of Afghanistan and Iraq. “In this case,” he argues, “the Bush administration employed a paradigm of collective trauma precisely to decontextualize and therefore simplify and depoliticize alleged reasons for the attack” (Gibbs 2014, 22).
23. Huyssen explains that whereas Spielberg’s *Schindler’s List* “fails to remember properly because it represents, thus fostering forgetting [...] Lanzmann’s refusal to represent, on the other hand, is said to embody memory in the proper way precisely because it avoids the delusions of a presence of that which is to be remembered” (Huyssen 2003, 124–125). As Huyssen argues, this opposition rests on (an elitist) “unquestioned modernist dichotomy that pits Hollywood and mass culture against forms of high art” (ibid.).
24. In her book *Frames of Memory after 9/11* Lucy Bond similarly discusses trauma-writing in the aftermath of the New York terrorist attacks in September 2001. Bond identifies an uncritical and repetitive use of trauma theory not only in the literary works that respond to the event but also in the criticism that follows (Bond 2015, 39–40).
25. Rothe speaks of the Eichmann trial with its “melodramatic conflict between absolute innocence and rank evil, which was embodied in the dichotomized flat characters of victim and perpetrator” (Rothe 2011, 2). For Rothe, this constitutes the first instance of “popular trauma culture”.
26. “The reader needs to be prompted that the narrator has a conscience, that he is and has been perhaps for a long time engaged with these questions. And this is why the main scenes of horror are never directly addressed. I think it is sufficient to remind people, because we’ve all seen the images, but these images militate against our capacity for discursive thinking, for reflecting upon these things. And also paralyze, as it were, our moral

- capacity. So the only way in which one can approach these things, in my view, is obliquely, tangentially, by reference rather than by direct confrontation" (Sebald in Silverblatt 2010, 80).
27. She quotes Austerlitz's nurse, Vera, as she speaks of a "mysterious quality" of photographs: "One has the impression, she said, of something stirring in them, as if one caught small sighs of despair, gémissements de désespoir was her expression, said Austerlitz, as if the pictures had a memory of their own and remembered us" (Sebald, quoted in Hirsch 2012, 52). Thus the photographs also destabilize the distance between past and present, and the value of the image as evidence of a particular past is troubled.
  28. The topography of the phototext (Horstkotte) seems to play a part here—though this may be slightly over-stating my point. Marianne Hirsch includes the photo from the English translation (even though she also has the German original in her bibliography), where the film still is placed at the top of the page and the text below it reads: "... wearing a three-stringed and delicately draped necklace which scarcely stands out from her dark, high-necked dress" (Sebald 2011, 351; Hirsch 2012, 45). Hirsch's reading focuses specifically on the necklace, which she discusses in relation to Margareth Olin's reading of Barthes. This leads her to the essential point about postmemory's index as a "performative index", shaped by affect, need, and desire. Lothe on the other hand, includes the image from the German original where the photo is placed a little further down on the page and the text reads "... alten Herrn, dessen kurz geschorenes graues Haupt die rechte Hälfte des Bildes ausfüllt, während in der linken Hälfte, etwas zurückgesetzt und mehr gegen den oberen Rand, das Gesicht einer jüngeren Frau [and here the image interrupts the narrative] erscheint, fast ununterschieden von dem schwarzen Schatten, der es umgibt, weshalb ich es auch zunächst gar nicht bemerkte" (Sebald 2003, 358; Lothe 2012, 238). Lothe actually comments on the lack of attention paid by Austerlitz to the man in the foreground and his focus is specifically drawn to the very specific description and mediality of the photo itself.
  29. And earlier works by Sebald such as *The Emigrants* (*Die Ausgewanderten*, 1992) and *The Rings of Saturn* (*Die Ringe des Saturn: Eine englische Wallfahrt*, 1995) also point in this direction. Thus, the shift towards a forensic mode of writing (like the forensic shift in general) is a development rather than a clean break.
  30. Żelkiewicz did not survive the war but perished in Auschwitz in 1944 and his narrative is therefore not a testimony in the conventional sense, but rather a contemporary source about German rule, life in the ghetto, the role of the Jewish council, and the deportations.
  31. "The confusion of languages is a fundamental component of the manner of living here: one is surrounded by a perpetual Babel, in which everyone

- shouts orders and threats in languages never heard before, and woe betide whoever fails to grasp the meaning” (Levi 2006, 44).
32. “The wall” is, for Rosenberg, largely connected to language. It separates a world in which words can be decoded according to their familiar meanings and a world in which nothing makes sense.
  33. These reparation processes are also referred to by Améry, and Rosenberg mentions this briefly, prefiguring the discussion that follows a few pages later. See Rosenberg, 283.
  34. “Jag finner inga adekvata svenska ord för en sådan mening” (Rosenberg 2013a, 258).
  35. “The reparations impose themselves on you as early as the autumn of 1959, demanding that you prove what it is that you have survived and what the consequences thereof are. On November 24, 1953, Josef Leib Goldstein and Feliks Zeligman affirm in a sworn declaration, an Eidesstattliche Erklärung, that they were in your company when you survived Łódź, Auschwitz, Vechelde bei Braunschweig, and Wöbbelin. On April 13, 1954, E. Öberg at the State Aliens Commission issues, for a stamp duty fee of 4 kronor, a certificate, Bescheinigung, to confirm that you came to Sweden from Germany on July 18, 1945, through the agency of the UN and the Red Cross and that you have been in possession of a Swedish alien’s passport since September 24, 1952” (289).
  36. This is in the English translation. In the Swedish paperback version from 2013, you turn the page directly below the picture of Sima, and the text describing the photo of Hala is thus placed above that image, which can, then, be seen while reading.
  37. The dramatic plans for bringing Hala to Sweden are dropped, it turns out, in favour of a bureaucratic solution, a fabric of lies, which allows Hala to shift from one category to another and cross borders that she was otherwise not permitted to cross.
  38. But—unlike Jacques Austerlitz—he does not comment on searching the filmed images for his father (though one would suppose that he must have looked).
  39. After the war, the German police “look into the slave activity at the Büssing factories,” Rosenberg writes. He continues: “On July 4, 1946, the public prosecutor in Braunschweig, Dr. Staff, writes to ask the British occupying authority whether the results of the police inquiry are to be presented to a court of the Allied occupying forces or to an authorized German court. Almost 2 years later, on March 1, 1948, the War Crimes Group (Northwest Europe) decides that the findings of the inquiry into slave labor at Büssing will not be presented to any court at all. Instead Rudolf Egger becomes the chairman of the Braunschweig Chamber of Industry and Commerce, and a few years later he receives permission

from the federal state government to add Büssing to his surname, for his services to the nation" (111—112).

40. "Yes, this is roughly how a defense for Rudolf Egger, later Egger-Büssing, could have been constructed. It could perhaps even have been reinforced by witness statements of survivors" (116) but it is "belied, of course, by the fact that the operation was built on, and entirely dependent on, the most repulsive of acts. Without Auschwitz, no slaves for Firma Büssing" (117).
41. *Vidrighet* translates to "atrocities".
42. "Sweden had been spared the devastations of the European wars and was therefore not directly touched by the experiences shared by most foreigners. In Sweden the fabric of society had remained mostly intact, no generations were lost, no national pride was hurt, no political visions were shattered. The emerging Swedish welfare project of the 1930s could take off from where it had been interrupted, as if there had been no war. Where the rest of Europe had to confront and reconsider tarnished national myths and narratives, no such thing was necessary in Sweden. The non-war experience had rather reinforced the self-image of Sweden as a more peaceful, more rational, more advanced and more humane society than the conflict-ridden nations on the Continent" (Rosenberg 2013b, 155—156).
43. Cars and trucks provide another central motif. David Rosenberg works in a truck factory. But he also buys the family's first car—a Volkswagen—for which he invents and produces a luggage rack. He sets out to start his own business (we are even shown a small leaflet advertising the product, which features a photograph of it on the Rosenberg family's car) but he fails.
44. Such groups and hierarchies are also central to Primo Levi's descriptions of life in Auschwitz but have been downplayed in the reception, which has tended to focus on victims, perpetrators, and to some extent on those in the vaguely defined "Grey Zone" (the collaborators and Kapos of which Chaim Rumkowski from the Lodz ghetto is a prime example).
45. He discusses "Operation Reinhardt," the shift from shootings to gassing in concentration camps introduced in order to avoid mental breakdowns in the *Einsatzgruppen*. This is discussed with reference to Yitzhak Arad's *Masters of Death: The SS-Einsatzgruppen and the Invention of the Holocaust* which is quoted carefully.
46. We know that Shmuel sent this photo to his brother in 1939 while desperately trying to get to America with his family, and the inscription on the back—names, dates and an evocative and mis-spelled "*zur Erinnerung*"—is for some reason underscored much later by his brother, the grandfather of the author, in his favorite blue felt-tip pen, making the author speculate about their relationship.

47. The inclusion of images in the book is aesthetically quite conventional. Various documents and photographs are included (all the pictures that he can find of Kathe are represented here). The only pictures that are placed next to the written text appear in the second postscript from the 2005 edition and have been given to him by readers. As in Mendelsohn's book the story continues outside the written work, with the reception of the book giving the investigation new momentum.

## REFERENCES

- Assmann, Jan. 2008. Communicative and Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Bevernage, Berber. 2012. *History, Memory and State-Sponsored Violence*. New York: Routledge.
- Bigsby, Christoffer. 2006. *Remembering and Imagining the Holocaust: The Chain of Memory*. New York: Cambridge University Press.
- Bilsky, Leora. 2014. The Eichmann Trial: Towards a Jurisprudence of Eyewitness Testimony of Atrocities. *Journal of International Criminal Justice* 12 (1): 27–57.
- Bond, Lucy. 2015. *Frames of Memory after 9/11*. UK: Palgrave Macmillan.
- Caruth, Cathy (ed.). 1995. *Trauma: Explorations in Memory*. Baltimore: Johns Hopkins University Press.
- Caruth, Cathy. 1996. *Unclaimed Experience*. Baltimore: Johns Hopkins University Press.
- Chakravarti, Sonali. 2008. More than 'Cheap Sentimentality': Victim Testimony at Nuremberg, the Eichmann Trial and Truth Commissions. *Constellations* 15 (2): 223–235.
- Craps, Stef. 2010. Wor(l)d of Grief: Traumatic Memory and Literary Witnessing in Cross-Cultural Perspective. *Textual Practice* 24 (1): 51–68.
- Desbois, Patrick. 2008. *Holocaust by Bullets*. New York: St. Martin's Griffin.
- Dziuban, Zuzanna (ed.). 2017. *Mapping the 'Forensic Turn': The Engagements with Materialities of Mass Death in Holocaust Studies and Beyond*. Vienna: New Academic Press. Forthcoming.
- Erll, Astrid. 2008. Literature, Film, and the Mediality of Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Felman, Shoshana, and Dori Laub. 1992. *Testimony—Crises of Witnessing in Literature, Psychoanalysis, and History*. New York: Routledge.
- Frank, Arthur. 2013. *The Wounded Storyteller*. Chicago: University of Chicago Press.

- Gibbs, Alan. 2014. *Contemporary American Trauma Narratives*. Edinburgh: Edinburgh University Press.
- Greve, Anniken. 2012. Knowing little, adding nothing: the ethics and aesthetics of remembering in Esben Søbye's *Kathe, Always Lived in Norway*. In *After Testimony—The Ethics and Aesthetics of Holocaust Narratives for the Future*, ed. Lothe, Jakob, Susan Rubin Suleiman and James Phelan (eds.). Columbus: The Ohio state University Press.
- Herman, Judith. 1997. *Trauma and Recovery*. New York: Basic Books.
- Hirsch, Marianne. 2012. *The Generation of Postmemory—Writing and Visual Culture After the Holocaust*. New York: Columbia University Press.
- Horstkotte, Silke. 2008. Photo-Text Topographies: Photography and the Representation of Space in W.G. Sebald and Monika Maron. *Poetics Today* 29 (1): 49–78.
- Huyssen, Andreas. 2003. *Present Pasts—Urban Palimpsests and the Politics of Memory*. Stanford: Stanford University Press.
- Jaggi, Maya. 2001. Recovered Memories. The Guardian Profile: W. G. Sebald. *The Guardian* 22 (9).
- Kansteiner, Wulf, and Harald Weilnböck. 2008. Against the Concept of Trauma (or How I Learned to Love the Suffering of Others without the Help of Psychotherapy). In *Cultural Memory Studies—An Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Kertész, Imre. 2006. *Fateless*. London: Vintage Books.
- Krejberg, Kasper Green. 2011. Krigens Poetiske Potentialer—Jünger, Sebald og Kampen og Kroppen i Moderne Krigslitteratur. Ph.D. thesis, Graduate School of Arts, Aarhus University.
- Levi, Primo. 1988. *The Drowned and the Saved*. New York: Summit Books.
- Levi, Primo. 2006. *If This is a Man—The Truce*. Abacus.
- Lipstadt, Deborah. 1994. *Denying the Holocaust—The Growing Assault on Truth and Memory*. New York: Plume by Penguin Books.
- Lipstadt, Deborah. 2011. *The Eichmann Trial*. New York: Schocken.
- Lothe, Jakob, Susan Rubin Suleiman, and James Phelan. 2012. *After Testimony—The Ethics and Aesthetics of Holocaust Narratives for the Future*. Columbus: The Ohio state University Press.
- Luckhurst, Roger. 2008. *The Trauma Question*. London: Routledge.
- Mendelsohn, Daniel. 2008. *The Lost*. London: Harper Perennial.
- Moyn, Samuel. 2012a. *The Last Utopia*. Cambridge, MA: First Belknap Press of Harvard University Press.
- Moyn, Samuel. 2012b. Substance, Scale, and Salience: The Recent Historiography of Human Rights. *Annual Review of Law and Social Science* 8: 123–140.
- Pendas, Devin O. 2006. *The Frankfurt Auschwitz Trial, 1963–1965. Genocide, History, and the Limits of The Law*. Cambridge: Cambridge University Press.

- Rigney, Ann. 2012. Memory by Numbers: The Ethics and Aesthetics of Counting. *Keynote at Mnemonics: Aesthetics and Ethics of Memory, graduate seminar*, 20–22 September 2012.
- Rosenberg, Göran. 2013a. *Ett Kort Uppehåll på Vägen från Auschwitz*. Falun: Bonnier.
- Rosenberg, Göran. 2013b. *Sweden: The Reluctant Nation*. In Fieschi, Morris and Caballero (eds.) *Populist Fantasies: European revolts in context*, Counterpoint.
- Rosenberg, Göran. 2014. *A Brief Stop on the Road from Auschwitz*. London: Granta Publications.
- Rothe, Anne. 2011. *Popular Trauma Culture: Selling the Pain of Others in the Mass Media*. Piscataway: Rutgers University Press.
- Schabas, William. 2013. The Contribution of the Eichmann Trial to International Law. *Leiden Journal of International Law* 26 (3): 667–699.
- Sebald, W. G. 2003. *Austerlitz*. Frankfurt am Main: Fischer Verlag.
- Sebald, W.G. 2011. *Austerlitz*. London: Penguin Books.
- Shephard, Ben. 2002. *A War of the Nerves: Soldiers and Psychiatrists 1914–1994*. London: Pimlico.
- Silverblatt, Michael. 2010. The poem of an Invisible Subject. In *The Emergence of Memory. Conversations with W. G. Sebald*, ed. Lynne Sharon Schwartz. New York: Seven Stories Press.
- Stonebridge, Lyndsey. 2014. *The Judicial Imagination: Writing After Nuremberg*. Edinburgh: Edinburgh University Press.
- Søbye, Esben. 2005. *Kathe, alltid vert i Norge*. Oslo: Forlaget Oktober.
- Sontag, Susan. 2003. *Regarding the Pain of Others*. New York: Picador.
- Strange, Deryn, Seema Clifasefi, and Maryanne Garry. 2007. False Memories. In *Do Justice and Let the Sky Fall: Elizabeth Loftus and Her Contributions to Science, Law, and Academic Freedom*, ed. Maryanne Garry, and Harlene Hayne. Mahwah, NJ: Lawrence Erlbaum Associates Publishers.
- Szentivanyi, Christina M. E. 2006. W. G. Sebald and structures of testimony and trauma: There are spots of mist that no eye can dispel. In *W. G. Sebald: History - Memory - Trauma*, eds. Denham, Scott and Mark McCulloh. Berlin: Walter de Gruyter.
- Wagner, Julia. 2010. The Truth About Auschwitz: Prosecuting Auschwitz Crimes with the Help of Survivor Testimony. *German History* 28 (3): 343–357.
- Weizman, Eyal. 2014a. Introduction: Forensics. In *Forensis*, ed. Forensic Architecture. Berlin: Sternberg Press.
- Weizman, Eyal. 2014b. Introduction, Part II: Matter against Memory. In *Forensis*, Berlin: Sternberg Press and Forensic Architecture.
- Weizman, Eyal. 2014c. The architecture of Negation: An interview with Robert Jan van Pelt. In *Forensis*, Berlin: Sternberg Press and Forensic Architecture.

- Wieviorka, Annette. 2006. *The Era of the Witness*. Ithaca, NY: Cornell University Press.
- Wittmann, Rebecca E. 2003. Telling the Story: Survivor Testimony and the Narration of the Frankfurt Auschwitz Trial. *Fritz Stern Dissertation Prize Presentation*, November 15 2002, in Bulletin of the GHI Washington 32, Spring 2003.
- Wittmann, Rebecca E. 2005. *Beyond Justice—The Auschwitz Trial*. Cambridge, MA: Harvard University Press.

### *Web Pages*

- Bertrand Russell Peace Foundation Ltd. 2012. Jean-Paul Sartre—Inaugural Statement, Stockholm, May 1967. <http://raetowest.org/vietnam-war-crimes/russell-vietnam-war-crimes-tribunal-1967.html#v1101-Sartre>. Accessed 26 Dec 2016.
- Forensic Architecture. 2011–2015. <http://www.forensic-architecture.org>. Accessed 26 Dec 2016.
- Robert H. Jackson Center. 2016. Robert Jackson—Opening statement before the international military tribunal at Nuremberg. <http://www.roberthjackson.org/the-man/speeches-articles/speeches/speeches-by-robert-h-jackson/opening-statement-before-the-international-military-tribunal/>



## Forensic Traces

The aim of this chapter is twofold. First, I want to draw attention to a specific—and perhaps less benevolent—aspect of contemporary forensic culture that contrasts the critical (counter) forensic analyses of victims of state-sponsored violence. This concerns using forensics as a tool for elimination of risk, through surveillance and through recognition and control of potentially dangerous individuals. Such an approach has been particularly prominent since the terrorist attacks in New York on September 11, 2001. This aspect of our forensic culture and the emerging re-establishment of biocriminology's legitimacy both involve a troubling legacy from early forensic science, which I discuss below. Secondly, I discuss an important resource and type of evidence in forensic narratives, which seemingly contrasts the linguistic evidence of testimony: photography. Both of these issues, one thematic and one formal, are addressed in Aleksandar Hemon's novel *The Lazarus Project*, and both arguably originate in the mid-nineteenth century. While in Chap. 2, I considered the historical context for a shift away from testimony, in this chapter, I explore the early histories of photographic evidence and forensic science and the problems arising from a specific scientific approach to crime that is addressed in Hemon's novel.

The invention of crime scene analysis, biological criminology, forensic anthropology, medicine, and symptomology—to give a few examples—in the late nineteenth century contributed to a new understanding of criminality, criminal investigation, and scientific methodology. These methods to some extent still shape our understanding of the criminal and

of forensic investigation. It is true that the aspects of early forensic science concerned with identifying deviance and degeneracy have been discredited as illegitimate and pseudoscientific. Nevertheless, contemporary scientific reading practices such as penile plethysmography, facial thermography, PET scanning, decoding of the human genome, and identifying hormonal explanations for criminal disposition similarly seek to make human differences comprehensible. Today, we see a renewed interest in the human body as evidence, and we seek to generate truth from the deep surfaces of bodies and bones. In popular culture, television series such as *Bones*, *CSI* and *Ripper Street* have been accompanied by several remakes of Sherlock Holmes, and stories about Jack the Ripper have been shown in cinemas and on TV. They point to a fascination with early criminology, detective fiction, and late nineteenth-century technologies and media.<sup>1</sup>

According to Susanne Scholz, we “may call the discourse of biological determinism by the name of genetics today, but we still (or again) labour under the same fundamental questions: Where is human agency located?” (Scholz 2013, 12). Contemporary surveillance practices and concern with crime prevention are connected to political radicalization and terrorism. And these activities are aspects of the forensic shift in contemporary culture that also need to be considered. How do we recognize criminals or terrorists? How do we catch them before it is too late, and how do we prevent having them in our society in the first place? In the twentieth century, we saw the horrors of eugenics, and before this, nineteenth-century eugenic criminology aimed for an improved humanity through the control of reproduction. As Nicole Rafter proposes, these ideas have not only returned through the back door but “through the front door as well and presented us with a wide range of biological solutions to social problems” (Rafter 1997, 239). Biocriminology, she comments, is picking up speed and is “threatening not to eclipse sociological explanations but to break their monopoly” (Rafter 2008, 199).

I open this chapter with a consideration of the early history of forensics and forensic evidence in relation to developments in Darwinian evolutionism and the invention of photography. I contend that these trends resemble the contemporary shift towards (bio)criminology and forensics as well as the media revolutions and the “visual turn” at the beginning of the twenty-first century. I accordingly discuss the photograph’s status as documentation, illustration, visual trace, and technology of investigation in a legal and an aesthetic framework. This framework is necessary both

for understanding Hemon's novel, which explores this history explicitly, and for recognizing contemporary efforts at risk management, population control, and surveillance—which emerges as the other side of a forensic culture concerned with crime and security.

Aleksandar Hemon's novel *The Lazarus Project* investigates the death of Lazarus Averbuch, a Jewish immigrant in America who is killed by Chicago's Chief of Police in 1908. The novel revolves around two plotlines, one concerning the death Lazarus Averbuch and its aftermath, and the other following the Bosnian author Vladimir Brik and his investigation of the Lazarus story. Set in Chicago in 1908 and also in Chicago and Eastern Europe 100 years later the novel connects two periods that both see important developments in forensic science. The book addresses questions of sign reading and evidence and shows how the mechanical evaluation of evidence according to shifting scientific logics fails to engage with the meanings, complexities, and values of history and identity. This problem leads, in the Averbuch case, to false accusations and murder. By exploring the way people and places are in constant motion, leaving traces, and being traced, Hemon's novel criticizes a forensic approach that mechanically translates physical traces into political or ethnic characteristics rather than excavating the layers of identity and experience. The forensic processes of autopsy and crime scene investigation are central events in the plotline concerned with the death of Lazarus Averbuch. As such, the novel directly addresses the perception of humanity and crime in the period and reveals the problematic interrelation between criminology (biological and anthropological perspectives on the criminal) and criminalistics (analysis of crime scenes and traces). In this chapter, I argue that scientific approaches to crime have had this double vision throughout their history. Recognizing the traces of crime and linking them to specific perpetrators is related to the scientific study of the criminal but also differs from it. Yet the distinction between the two approaches to forensic investigation tends to collapse.<sup>2</sup> Thus, this chapter addresses the third hypothesis. I discuss how a literary work may serve to question and explore the central assumptions and methods of forensic sciences.

### MEASUREMENTS, TRACES, AND PHOTOGRAPHIC EVIDENCE

The forensic sciences developed into distinct scientific disciplines in the second half of the nineteenth century. Essential to this process was a belief that signs on the surface could be attributed to qualities or

developments within. People as well as crime scenes could be “read” using scientific methods based on comparison of empirical data. New scientific disciplines such as anthropology, ethnography, psychiatry, sexology, medicine, biology, and chemistry all “wanted to decipher the - to put it in twentieth century terms - ‘code’ of the human, i.e. to quantify and scientifically define the position of man in the natural world,” as Susanne Scholz has explained it (Scholz 2013, 15). In her book *Phantasmatic Knowledge* (2013), Scholz argues that this venture was “built on the conviction that the characteristics of humanity could be visualized, that these visual traces could be deciphered as signs and that these signs could be included in a vast knowledge narrative the aim of which was a reassessment of the position of the human” (ibid.).

With the Darwinian theory of evolution, the difference between man and animals needed to be re-established—and in a cultural context that increasingly subscribed to a positivist perspective, facts, numbers, and hard evidence were needed. To that end, the human body was measured, photographed, and compared.<sup>3</sup> In this fashion, the emerging field of criminal anthropology positioned itself in relation to the Darwinian theory of evolution but also in relation to statistics “which had enabled both the ‘discovery’ of social facts and the identification of populations as appropriate objects of scientific knowledge and government” (Horn 2003, 6). In the discourse of physiognomy the human body was conceived of as a (deep) surface in which race, social class, and illness—deviations from or correspondence to the norm—could be read. In the human sciences, such deviations, their frequency and distribution, and their dependence on external factors were studied, as the ability to distinguish between different people, groups, and social classes became urgent in the increasing confusion of urban crowds and people of different races. The body was seen, in this way, as mediating information that allowed a competent observer to decode the individual’s racial or social status.

The interest in the mechanisms of evolution and earlier stages of civilization triggered anxieties about degeneracy and atavism, a fear of evolutionary throwbacks, imagined to be detectable through anthropometric measurement. In the emerging forensic sciences (such as criminal anthropology, forensic psychiatry, and forensic medicine), bodies were measured, photographed, and displayed in order to promote the management and investigation of crime. Meanwhile, the construction of the idea of the atavistic criminal depended on these new practices of measuring and

documenting that sought to distinguish between the normal and the deviant. A central figure in early criminal anthropology was the Italian anthropologist Cesare Lombroso<sup>4</sup> whose anthropometric efforts were related to social statistics.<sup>5</sup> Lombroso was not interested in the *identification* of specific criminals, but rather focused on semiotic or diagnostic readings of bodies and faces aiming for *recognition* of dangerousness—whether or not a crime had yet been committed (Horn 2003, 20). He responded to a general concern with locating the criminal body in relation to other bodies in the hope of recognizing the potentially dangerous individual in the crowd.

In his analysis of Lombroso's work, David Horn argues that the legacy of criminal anthropology has not primarily been in any facts produced. Instead, it can be observed in the development of measurement and collection-of-data practices as well as in the emergence of a new culture of risk.<sup>6</sup> This emergence is connected to a “generalized suspicion, a construction of the social that has been linked, paradoxically, to the inability of criminal anthropology to isolate the criminal type” (Horn 2003, 139). This culture of risk is, today, as it was then, a prominent feature of criminology and forensics. This is perhaps particularly true—Hemon suggests as much in *The Lazarus Project*—since the terrorist attacks in New York on September 11, 2001.

In *The Criminal Brain*, Nicole Rafter discusses the relationship between criminality and biology. Tracing the history of biological theories of crime, she sets out the historical background for contemporary research. Of the current state of biocriminological research, she notes,

Never in the history of biocriminology has there been anything like this explosion of interest, this diversity of perspective and approach, or this intensity of research activity. Never before have governments funded biological research at current levels or scholars produced so many publications on biology and crime. It is almost as if, during the post-World War II decades when biological analyses were shunned and scorned, pressure built up until finally the sociological lid blew off, enabling biological ideas to shoot off in all directions.

But it is also true that the current proliferation of biocriminology has been well nurtured by its social context. It has occurred in a culture suffused with biological ideas about the causes of human behavior. It has further coincided with a widespread preoccupation, even obsession, with risk and the prevention of harms. The social context has helped to make

the current explosion of theory and research in biocriminology possible. Biocriminology, in turn, feeds back into this social context, reinforcing assumptions about the priority and efficacy of biological explanations and intensifying the old suspicion that some people are biologically dangerous. (Rafter 2008, 235–236)

While the biological determinism that characterized early criminal anthropology is rejected today, Rafter argues that there are troubling similarities between past and present biological criminologies. Biocriminologists, she states, still tend to latch on to a medical model of the criminal as ill or abnormal, which “was never accurate, literally or metaphorically” (Rafter 2008, 243). This paradigm had lethal consequences during the twentieth century. Few of the biocriminologists, Rafter continues, “are familiar with the history of biological theories of crime, and few have much awareness of the social dimensions of science” (ibid.). Furthermore, both past and present biological theories emphasize the difference between “us” and “them,” which contrasts the larger image provided by contemporary geneticists that humans (and other species) are, on a genetic level, really remarkably alike. Rafter emphatically states that “biocriminologists need to begin by emphasising that most criminals are basically like the rest of us” (Rafter 2008, 245). Finally, however, Rafter addresses the central *difference* between past and present biological theories of crime, which is the all-important acknowledgement of the relevance of social factors to crime. This, she argues, “almost totally reverses the biological determinism of the past, a reversal with major implications for research, treatment, public policy, and relationships among researchers” (Rafter 2008, 246).<sup>7</sup> Contemporary biocriminologies along these lines are compatible with sociological theories of crime.

In their article “Making Space for Criminalistics: Hans Gross and *fin-de-siècle* CSI,” Ian Burney and Neil Pemberton set out to explore late nineteenth-century crime scene investigation, shifting attention away from *criminology* and towards *criminalistics* in the period. They argue that the academic interest in *criminology* has marginalized the criminalistic field of inquiry, which explores scientific investigation of specific crimes and identification of particular culprits.<sup>8</sup> They discuss the *Handbuch für Untersuchungsrichter als System der Kriminalistik* by Austrian magistrate Hans Gross from 1893, a formative text in the history of forensic investigation. While the authors note that Gross still

worked within the broadly degenerationist framework of *criminology*, they argue that the *Handbuch* mainly addresses *criminalistic* practices that are routinely part of contemporary crime scene investigation, such as the identification and preservation of trace evidence, the avoidance of contamination of the crime scene, and the chain of custody.<sup>9</sup> Mid-nineteenth-century research into the psychophysiology of perception led to the insight that even honest witnesses might provide false testimony. Correspondingly, Hans Gross (like many others in the period and not unlike today) takes as his point of departure an opposition between testimony and material evidence. Gross argues that material things provide “incorruptible, disinterested, and enduring testimony from which mistaken, inaccurate, and biased perceptions, as well as evil intention, perjury, and unlawful co-operation, are excluded” (Gross, quoted in Burney and Pemberton 2013, 18).

Burney and Pemberton emphasize that while Gross was clearly aware of the vicissitudes of testimony, this does not mean that he considered material evidence more important than human perception in the process of investigation. Rather, Gross treats the hierarchy between material and human witnesses as “the outcome of a way of seeing and acting [by the investigating officer] that creates the conditions for things being able to speak for themselves” (ibid.). In other words, things can only be considered reliable as evidence if the protocols and processes of crime scene investigation secure the investigating officer as a “reliable harvester of the trace evidence” (Burney and Pemberton 2013, 19). As a resultant, Gross’ “[a]ttention to [the] interplay between observer and observed, investigator and material trace, results in a collapsing in his text of the ostensibly straightforward opposition [...] between the testimony of things and of human beings” (ibid.). Making material traces testify is necessarily a complicated process because the information unearthed by the investigating officer is subject to the same distortions that threaten any act of witnessing. The objectivity of the material trace, then, is an “outcome, rather than a prior condition” of the investigation procedures that Gross lays out in his book. This fact is often forgotten as it is continually acknowledged that evidence can “speak for itself.” The relationship between forensics and testimony has always been both troubled and ambiguous. Moreover, a clear distinction between the two (and an attempt to eliminate testimony) goes against rather than supports the aim of scientific and judicial objectivity!

In their influential book on objectivity, Lorraine Daston and Peter Gallison argue that the middle of the nineteenth century saw a shift from a scientific ideal of “truth to nature” practised by an interpretive and intervening scientist to one of “mechanical objectivity” (Daston and Gallison 2010). This shift entailed a new epistemic virtue, that of restraint and self-imposed selflessness, whereby the scientist could repress his own intervention and “put in its stead a set of procedures that would, as it were, move nature to the page through strict protocol, if not automatically” (Daston and Gallison 2010, 121). With this shift from the interpretive to the procedural, the intervention of the scientist could be minimized.

Towards the end of the nineteenth century, however, the ideal of mechanical objectivity lost some of its persuasive power. While an ideal of objectivity was upheld, this ideal could not—it seemed—be obtained through mechanical processes or automated technologies. As experimental science developed in the second half of the century, observation was overtaken as the primary epistemic methodology (Daston and Gallison 2010, 242–246; Scholz 2013, 88) and the scientist emerged as a professional able to “procure the environment and conditions under which a certain result could be produced, or a certain hypothesis verified” (Scholz 2013, 88). Gross’ disciplined investigator—like the scientists of the period—had to turn his “domineering will inward – to practice self-discipline, self-restraint” or what Daston and Gallison call “self-imposed selflessness” (Daston and Gallison 2010, 203). As Gross’ investigating officer secures the crime scene for future analysis through observation and recording, “he confirms his physical and cognitive self-restraint, his capacity to defer engagement with the world of immediate appearance in order to preserve one of as yet unseen, fragile traces and inter-relationships” (Burney and Pemberton 2013, 22).<sup>10</sup> This shift in the role of the investigator inaugurates the by now familiar approach to crime scene analysis and the preservation and analysis of trace evidence.

Susanne Scholz argues that two revolutions reframed the perception of human beings around the end of the nineteenth century: Darwinian evolutionism and the media revolution brought about by the invention of photography in 1839. The emergence of photography contributed to the collection of empirical data and served as a tool in the typification of the human, playing a central role in both criminological and criminalistics practices. The photograph could function as scientific evidence if the object in front of the lens could be compared to others in



terms of proportion. In the ethnographic photograph the human subject was photographed nude, in front of a neutral background, and with a measuring rod in order to establish racial types. The photographed subject was thus decontextualized and reframed as specimen or type. Lombroso's criminological photographs were meant to stand as examples of atavistic or anomalous features of the criminal type, while in criminalistics the "speaking portrait" (or *portrait parlé*) invented by Alphonse Bertillon provided a system of classification that helped identify *specific* criminals already featuring in police files. Charles Darwin's cousin (and inventor of eugenics) Francis Galton, moreover, extracted the typical—or in this case, average—features of the criminal by creating composite photographs, a synthesis of single portraits. Using photography not just as a supposedly reliable form of scientific documentation but "as an experimental procedure or a research technology" (Scholz 2013, 112), Galton's composites *produced* criminal types rather than simply documenting them, relying on the dual authority of statistics and photographic exactitude.

Because photographs could both present evidence visually and *preserve* visual evidence, Hans Gross' *Handbuch* instructs the investigator to take pictures of the crime scene and particularly its "perishable objects and those likely to change their appearance" (Gross quoted in Siegel 2011, 99). In particular, Gross speaks of footprints, fingerprints, corpses, and wounds. The photograph thus became a central tool in criminal investigation—as in the scientific search for mechanical objectivity—because it seemed to eliminate human agency and reflect things "with an inflexible objectivity as they really are, and what appears on the plate can be looked upon as the surest document of the actual conditions" (bacteriologists Fraenkel and Pfeiffer, quoted in Daston and Gallison 2010, 177).<sup>11</sup> Or, as one judge expressed it, photographs were reliable because they were "produced by the operation of natural laws and not by the hand of man" (quoted in Mnookin 2008, 16).

Evidence in English, Thomas Keenan notes, is not truth but rather *that which is evident*. In United States law, "[e]vidence means neither truth, nor proof; it implies nothing incontrovertible. It simply is what is there, not in the world but in the legal forum [...] on which a decision can be based" (Keenan 2014, 44). Evidence is not inherently true but rather the material on which the decision in court is based. Accordingly, the particular status of *photography* as evidence depends both on the mechanical process of production and on the medium's ability to convey

information directly to the senses—it is *particularly suited to making information evident*.

In her article, “The Image of Truth: Photographic Evidence and the Power of Analogy,” Professor of Law Jennifer Mnookin writes that while photography was almost from its invention recognized as a potentially powerful juridical tool, it was also highly contested, and its use was shaped by the way photographic technologies developed and were categorized. Its ambiguous status is familiar from aesthetic approaches to photography:

In the second half of the nineteenth century, two competing paradigms governed the understanding of the photograph. One emphasized its ability to transcribe nature directly, while the other highlighted the ways in which it was a human representation. From the first perspective, the photograph was viewed as an especially privileged kind of evidence; from the second perspective, the photograph was seen as a potentially misleading form of proof. (Mnookin 2008, 4)

Therefore, according to the first view, “the photograph was not merely evidence, but the best kind of evidence imaginable: mechanical, automatic, and not subject to those biases and foibles that may cloud human judgment” (Mnookin 2008, 19). According to the second view, the potential distortions and collateral issues (such as the refractive power of the lens, the accuracy of angles and focus, the material, the method, and the skill and motivation of the photographer) are emphasized.<sup>12</sup> Also, as per this second view, photographs could not in themselves prove, but were human fabrications that could be shown as triers of facts, “not as conclusive, but as aids in determining the matter in issue” as Chief Judge Charles J. Folger argues (*Cowley v. People*, quoted in Mnookin 2008, 24). The photograph could serve as evidence, but it had to obtain human authentication, to have “a human being’s credit”—a witness—to support it.<sup>13</sup>

Photographs can be manipulated or framed to make a certain impression but they remain convincing because the past seems to be imprinted on the surface of the photograph—while being readily decodable. The photograph’s particular status is connected to the fact that (non-digital) photographs are indexical traces, similitudes that are “stamped and sealed” on the plate by reality itself. They are signs bound to the referent by actual contingency but also by convention or similarity.

In “Photographic Interventions,” Horstkotte and Pedri quote Rosalind Krauss who specifies that “photography is an imprint or transfer of the real; it is a photochemically processed trace causally connected to that thing in the world to which it refers in a manner parallel to that of fingerprints or footprints” (quoted in Horstkotte and Pedri 2008, 12).<sup>14</sup> As Marianne Hirsch argues, on the other hand, photographic images are also *more* than contiguous to the object in front of the lens: they also exhibit a mimetic similarity to it (see Hirsch 2008, 116). The photograph is like a fingerprint, but one that is also image, showing as well as proving, identifying trace with face. In that sense, photographs are representations that “mean” authenticity. Even though we very well know that the photograph in its angles, lighting, focus, and framing is not inherently objective, it remains convincing.<sup>15</sup> Furthermore, the photograph promises mastery, order, and distance. As Hirsch states, “small, two-dimensional, delimited by their frames, photographs minimize the disaster they depict and screen their viewers from it” (Hirsch 2008, 117). Yet “in seeming to open a window to the past and materializing the viewer’s relationship to it, they also give a glimpse of its enormity and power” (ibid.). Thus, the photograph’s force depends not only on it being a mechanical imprint but also on this ability to make the imprinted reality present to the viewer.

While until the 1850s legal evidence mainly consisted of words (testimony, contracts, deeds, and the like), by the 1880s the general doctrine that began to stabilize rested on the analogy between the photograph and other forms of visual evidence. The new (and potentially dangerous) technology of photography was domesticated by “linking it to already existing representational forms, like maps, models, and diagrams” (Mnookin 2008, 6) and by the creation of a new evidential category containing *all* of them. Formally, photos were regarded as constructed visual aids, not independent or substantive evidence. Photography, Mnookin argues, was disempowered by the claim that like these other representational forms it was mere *illustration*. This, nevertheless, made the widespread belief in the inherent objectivity and certainty of photographic evidence highly problematic: if the photograph was seen as a human fabrication like other forms of visual evidence and open to manipulation, its reputation for truthfulness made it dangerous as evidence. Echoing Marianne Hirsch’s point, Mnookin emphasizes the fact that photographs are not just indexical transcriptions, but something more:

unlike murder weapons, [they] are themselves representations, and potent ones. They tell a story about the world, making a difficult-to-refute claim about how a particular location looked at one instant. The story may be indeterminate; it may be capable of multiple interpretations, but to whatever extent this visual depiction is *not* tied to testimony, a competing, nonverbal account enters a space where the words of witnesses – and lawyers – are supposed to reign. (Mnookin 2008, 56)

While formally the photograph was indeed tamed as it was considered “neither self-proving nor necessarily true” (ibid.), the analogy failed to address the obvious differences between a photograph and a handmade drawing. And in practice, photography often did function as proof as well as illustration. That is, although the doctrine that formally regulated the photograph’s admissibility emphasized photography as human-made representation, the popular understanding of photography as an unmediated transcription with particular persuasive power was recognized in practice and taken into account. The “domestication” of photography was thus only partly successful, and its ambiguous status shaped the new evidential category that would later be called demonstrative evidence.<sup>16</sup> “A major consequence,” Mnookin writes,

of linking photographs to models, maps, and diagrams was that *all* of these forms of representation began to acquire the sheen of evidence. Instead of defusing the photograph by declaring it mere illustration, the doctrine brought into existence a new epistemological category [...] that hovered uncomfortably on the boundary between illustration and proof. (Mnookin 2008, 64–65)

At the end of the nineteenth century, judges used “demonstrative” as a synonym for “conclusive,” that is, to refer to evidence established “through deduction from agreed-upon premises, evidence that therefore produced complete certainty of knowledge” (Mnookin 2008, 67). This understanding of “demonstrative evidence” had nothing to do with the emerging category of illustration, but by the early twentieth century, the two senses of the term co-existed and were sometimes blended, suggesting that evidence that presented itself to the senses was a particularly certain kind of proof. Mnookin argues that this phenomenon constitutes an interesting oscillation between doctrine and practice, which lives on in the conceptual confusion regarding the term even today. Mnookin argues that while this confusion is connected to a semantic conflation of

two understandings of the term, it is also closely connected to the history of photographic evidence.

In both criminology and criminalistics, early photography enabled a way of seeing that ordered, typified, and differentiated along visual lines. In criminology, photography was central to the conceptualization of the “born criminal” and to racial and social typification (which laid the foundations for later eugenic projects). In criminalistics, photography helped preserve and order specific data, and this systematic process was part of the practices that established the crime scene and the dead body as a demarcated space of observation and analysis. Framing ruinous places, objects, and dismembered bodies in the fixed and systematized format of metric photography served to rationalize the place of violence by turning it into a place of *knowledge*. While in both criminology and criminalistics, photography was understood as a particularly objective medium, part of its usefulness was as a tool that could be used and manipulated by the scientist or investigator. Photography therefore also ushers in a “culture of construction,” with evidence becoming something not only located and collected but also created or prepared especially for the lawsuit.

In *Mengele’s Skull*, Keenan and Weizman present an example of photographic evidence that is constructed in the process of forensic analysis. However, it is also a forceful representation, providing scientific knowledge and a convincing rhetorical argument (though not, in this case, intended for a courtroom).<sup>17</sup> The conviction that Mengele was dead and his remains identified was established through photographic evidence *created* in the laboratory. Through a so called “face-skull superimposition” (based on techniques from early forensic science), West German scientist Richard Helmer superimposed a video image of several photographs of Mengele onto a video image of the skull in order to determine whether the skull belonged to the person in the photographs. These images, created as a part of the scientific investigation, convinced the forum of the public, as they seemed to speak for themselves, bringing two different moments of the past simultaneously into the present. The technique allegedly proved that the face layered on top of the skull did in fact belong to it without the need for verbal interpretation: “It was a face wrapped over a skull, subject over object, an image of life over an image of death. These were the missing images. [...] It was the appearance of a previously unseen image that produced the potential for conviction” (Keenan and Weizman 2012, 38). The realities of the material

bones and the living man are superimposed through photographic technology, creating images in which both realities are present, seeming to prove their interconnectedness. Yet it is the forceful absence of the dead man, accentuated by the visibility of the bone, that forces conviction: this face has become skull, and so the man in the photo is, indeed, dead. Photography, as such, is a particularly forceful form of evidence as it relies on the conventional understanding of it as a mechanical, photochemical imprint. Such is the case even while, as a human representation, it can be used not just as an illustration but also as a tool of science and law. It shows as well as proving and also *creating* particularly persuasive evidence.

In literature, as Lothe and Hirsch remind us, the inclusion of photographs seems to destabilize the fictional status of a novel (and to fix a work of non-fiction even more firmly in relation to historical events external to the work itself). Silke Horstkotte and Nancy Pedri emphasize the conventional nature of this function of photography in literature, arguing that “the unquestioned assumption that the photograph shows what ‘has been (Barthes 1984)’ – continues to govern the perception of photographs, even though we know ‘that the “objectivity” of technical images is an illusion’” (Horstkotte and Pedri 2008, 14 and Barthes 2000). Such is the case particularly in a “post-photographic era” of digital images. The ambiguous status of the photograph as both a mechanical imprint and a human-made representation shapes its function in the courtroom as well as in literature. Furthermore, bringing together discussions of photography from the fields of both art and law highlights its ambiguous status and cultural force across various fora. In both fields, the photograph is contrasted to verbal narrative—and the lack of verbal mediation, the silence of the photograph and the forensic object, is important to how it works rhetorically.

In *History and Silence* (2000), Charles Hedrick attests that silence is naturally authoritative and associated with truth: “Because silence is not imagined to represent at all, it is normally not thought to be able to represent what is not” (Hedrick 2000, 120). Because it does not represent, it does not seem to be able to lie. And because silence is considered to be truthful it becomes a forceful rhetorical tool.<sup>18</sup> Following Hedrick, the rhetorical power of visual (and material) evidence is related to its silence and the implicit suggestion of authenticity or truth that clings to it even when it is constructed, staged, or given speech in a courtroom. The photograph, which is further characterized by an unselective inclusion of

everything within the chosen frame, carries an added aura of authority, since its ostensible lack of selectivity suggests an illusory authorlessness as well.<sup>19</sup>

While the presence of a photograph will trouble the fictional status of a literary work, in the courtroom it needs an author or at least a narrator to count as evidence. In literature, the photograph serves to authenticate the narrative (albeit in ambiguous ways), but in the courtroom, narrative is needed to authenticate the photograph, thus formally subjecting it to human mastery—and to testimony. Moreover, in literature, scholarship on the relationship between photograph and narrative has emphasized the evidential aspect of photography. I claim that we may better understand the function of photography in literature if we conceive of it in terms of the ambiguous category of *demonstrative* evidence—as particularly potent and convincing precisely because it *makes evident* but also remains a form of illustration.

In both literature and the forum of the court, the photograph illustrates the narrative (even while it often does much more than that). Meanwhile, a certain evidential quality is also attributed to other types of illustration such as maps, diagrams, and drawings. This is because, as visual aids, they also *make evident*, since they appeal directly to the senses and make an eyewitness of the reader or juror. In Charles Pellegrino's controversial book *The Last Train from Hiroshima* (2010),<sup>20</sup> the narrative is supported by illustrative drawings rather than photographs. It features maps stating the locations of the characters/eyewitnesses, before-and-after images, and drawings of mutating plants that could have come from a scientific atlas. While these pictures do not testify to the presence of the camera/observer at the time and place of the events, they do clearly serve as visual aids for the reader. They help readers orient themselves, while avoiding the violent force of the spectacular images of catastrophe that would inevitably have been provided by photographs. Thus, the images lend to the book a sense of sober (if almost naïve), scientific vision, even while the narrative itself (increasingly as it progresses) focuses on personal experience (even leaning towards spirituality).

In Göran Rosenberg's book, discussed in Chap. 2, archival photographs served as proof of historical events and largely supported Rosenberg's narrative. Nonetheless, the photos also invited the reader's scrutiny, which could potentially challenge the author's interpretation. Thus, the archival photographs emphasized the transparency of the narrative position, and this is obscured in Pellegrino's book. Contemporary

photographs taken by Rosenberg on his investigative journey are presented as evidence of the journey. They are also illustrations of the desolate landscapes and derelict train stations that the trains from Auschwitz passed by and that history has now forgotten. As Rosenberg presents these images in his narrative, he gives them a memorial quality that imbues them with new meaning.

In *The Lazarus Project*, Aleksandar Hemon explores the fear of ethnic or cultural difference today and at the beginning of the twentieth century. Hemon insists on the importance of human storytelling and ownership in terms of one's life-story, refusing simplistic notions of identifying danger by reading superficial signs. *The Lazarus Project* invites us to consider whether or not the criminological discourses of the late nineteenth and early twentieth centuries, while largely dismissed or even ridiculed as scientific practices, echo in contemporary culture.

### READING LAZARUS

*The Lazarus Project* explores the fate of Lazarus Averbuch, a historical figure, who escaped the 1903 pogrom in Kishinev only to be suspected of anarchism and shot by Chicago Chief of Police George Shippy in 1908. The social and political landscape of early twentieth-century Chicago is explored through the story of Lazarus' sister, Olga Averbuch, who fights for the retrieval of her brother's body and a decent burial for him while hiding his suspected accomplice, Isador. The dead Lazarus Averbuch is at the centre of the story even though he is killed on pp. 8–9. The book begins with his death and ends shortly after his funeral—and just as narrator Vladimir Brik is about to begin writing his book about Lazarus' murder in the novel's other plotline which unfolds in the early 2000s. The case against Averbuch is thin and seems to be a cover for his brutal and unnecessary murder, yet in the novel—as in reality—it is never really solved. The investigation in the book never leads to the resolution of the mystery. We do not learn what brought Averbuch to Chief Shippy's door that morning—murderous, anarchist intentions or some innocent objective.

In the other plotline the aspiring author Brik receives a grant making it possible for him to travel through Eastern Europe with his friend Rora, a photographer, imagining and searching for traces of the story of Lazarus and Olga Averbuch. But there do not seem to be many traces to be found, and as he and Rora prefer idling in cafés over countless



espressos, the project does not come across as all that urgent. The landscapes, the journey, and the people they meet still move the story forward, however. The Lazarus plotline grows out of and perhaps reveals more about Brik's state of mind and the environment that inspires his view of the past than it does about Lazarus Averbuch's historical reality. Brik and Rora journey from Chicago through Ukraine and Moldova to their native Sarajevo telling stories and taking pictures. They weave the stories of their own history, central to which is the war in Bosnia and the immigrant experience, into the story of Lazarus Averbuch.

The two stories are cross cut, each chapter marking a shift in time and space emphasized by the presence of an entirely black page (black on both sides) with a black-and-white photograph in a blurry rounded frame facing the following chapter. The photographs introducing the chapters about Averbuch and Olga are from the archives of the Chicago Historical Society and are either related to the Averbuch case or contemporary with it. Meanwhile, the pictures introducing the chapters about Brik and Rora are new ones taken by Velibor Božović, a friend of the author, on a research trip through Eastern Europe (a journey which seems to be the inspiration for the narrative about Brik's and Rora's journey). Past and present are neatly divided with the black pages bearing the photographic imprints that serve as visual boundaries between the two storylines, halting the narrative and making sure that the shift in time and space does not pass unnoticed. Nevertheless, words, characters and sentences migrate between them. We meet Lazarus first, and the story of Brik always seems to lag behind, even though we soon learn that the Lazarus storyline is the product of Brik's reimagining of history.

*The Lazarus Project* is a work of fiction, and it correspondingly differs in central ways from the forensic works discussed in the previous chapter. Although it is a work of investigation in which a real historical event out of reach of personal testimony is researched and explored, it clearly does not have the analytical soberness that characterizes Rosenberg's book. Even so, Hemon *is* present in the narrative through both his particular voice and his use of language,<sup>21</sup> and more directly through the similarities between author and narrator. This effect lends an autobiographical quality to the narrative.<sup>22</sup> Undoubtedly, the paratextual framing of the book as fiction seems to relieve the reader from the heavy obligation to reality (which the Holocaust narratives clearly invited). But the Acknowledgements describe the source material and the origin of the photographs and keep historical reality a part of the interpretive

framework throughout. In *The Lazarus Project*, Hemon explicitly relies on postmodern forms associated with historiographic metafiction to evoke scepticism towards simple over-arching narratives and mechanical sign reading. On the other hand, the insistent presence of the author and his continuous reliance on his personal history (the testimonial aspect of the book if you will) firmly locates the origin of the claims made by the book. In this way Hemon insists on the real act of communication taking place between author and reader about real events of historical significance.

Key aspects of *The Lazarus Project* include the historical circumstances of Lazarus' death and the very real parallels with current events related in Brik's often ironic, sometimes slapstick-like, but always intensely frustrated and indignant style. These features make the novel's use of fictionality come across as a powerful tool for investigating historical justice and exploring racial and cultural prejudice, war, and migration. Is this forensic literature, then? Certainly, it is rather different from many of the other works that I consider here. The novel owes a clear debt to historiographic metafiction (and it could be argued that it belongs to this tradition). Such is the case as it, like historiographic metafiction "suggests that to re-write or to re-present the past in fiction and in history is, in both cases, to open it up to the present" (Hutcheon 2005, 110). Yet the historical events to which the novel refers, from the Kishinev pogrom to the wars in Bosnia and Iraq, are urgently real, and the use of fictionality (and an unreliable narrator) do not destabilize the reality of historical knowledge. Nonetheless, while Rosenberg (or the implied author of *A Brief Stop on the Road from Auschwitz*) aimed for transparency and analytical soberness, Hemon's opacity in terms of the narrative position forces us to acknowledge the problem of perspective and interpretation. So what does the use of fictionality do to the forensic mode? Forensic narratives claim a genuine engagement with the past. The documentary aspects of the works insist on keeping reality close, yet the use of fictionality invites engagement, imagination, and exploration of imagined scenarios. While the forensic narrative is generally careful of immersion, of suspension of disbelief, the use of fictionality provides a forceful combination in relation to historical events: insisting on their reality while inviting imaginative investment.

Hemon's book is a novel and reads as such. Its connections to an external historical reality do not change the basic conventionally established interpretational stance of the reader even though they situate

the work in relation to historical contexts. The use of the photographs, though, introduces the traces of history into the very fabric of the narrative. Through them reality haunts and halts the fictional representation. And it does this while questioning the evidentiary value of the photographic trace. In the following section, I analyse how Hemon uses fictionality to explore the notion of identity and to criticize forensic criminology, and I discuss his use of photographic evidence as both illustration, evidence, and tool of investigation within the fictional narrative.

The Averbuch case played out in a period that saw important developments in the forensic sciences; discourses on criminology and degeneracy are present throughout the novel. When, in the first chapter, Lazarus Averbuch browses through leaflets pinned on a board in the shop Ludwig's Supplies (trying to pass the time in reasonable warmth before going to Chief Shippy's house at nine o'clock), he notices that the Yale Club is presenting a talk by Dr. Hoffmannstal on "Shapes of Degeneracy: The Body and Morality" (5). This event subtly sets the stage for the approaching drama and introduces a central theme in the book: where do character and agency come from, and how do we read and interpret bodies and faces? A few pages later Lazarus Averbuch is killed because his face, body, and clothes supposedly "speak" of his character ("the anarchist type," 143).

In the investigation, the establishment of Lazarus' intentions and the determination of his guilt depend on the criminalistic assessment of the trace evidence provided by his injuries, clothes, and personal possessions, and the features of the crime scene. They are further determined by the traces that Lazarus' life, background, and ethnicity have left on his body. The investigation is led by Assistant Chief of Police Schuettler and the second chapter in the Lazarus plotline is concerned with his attempts to read the crime scene:

In the young man's pocket, Assistant Chief discovers a streetcar transfer issued from the 12th Street streetcar, *suggesting that the assassin was an inhabitant of the South Side Jewish ghetto*, and another one from the Halsted streetcar dated March 1 – he apparently came up North Side on a reconnaissance mission. There is a slip of paper torn from a calendar pad (date: February 29) with the following numbers: 21-21-21-63; around the 63 is a broken circle, and over this an X. Assistant Chief Schuettler's first guess is that these are the numbers the assassin drew in some kind of anarchist lottery, which was to decide which one of them would commit the crime. His suspicion is confirmed by a bag of white lozenges much akin to

poison pills – the young man was clearly willing to die for his misguided cause. Assistant Chief Schuettler also uncovers, folded into the inner band of the anarchist's hat, a piece of cheap scribbling paper with the following sentences:

*My shoes are big.*

*My room is small.*

*My book is thick.*

*My soup is warm.*

*My body is very strong.*

It is clear that the sentences are a coded description of the stages of the murderous plot. (25–26)

These comic attempts at decoding the signs of the crime reveal much about the interpretive assumption of the investigation. Namely, that it is not the dead man Averbuch who is a victim of a criminal act that must be investigated (in order to establish, for instance, whether Shippy acted in self-defence). Instead, the clues pertain to a crime that has in fact *not* been committed, the potential criminal act of Lazarus Averbuch. The passage thus evokes the central objective of criminology: to recognize the criminal character and take action against him in order to prevent him from acting according to his criminal nature.

The “poisonous lozenges” are in fact candy purchased by Lazarus in the first chapter (sour apple flavour), and the investigation soon runs into other obstacles. The numbers turn out to be a receipt for the purchase of three dozen eggs (21 cents each), while the five sentences are an exercise from Lazarus’ English-language class (taught, we learn by a “Mr Brik,” who describes Lazarus as *a faithful and persevering student of a very good character*).<sup>23</sup> The investigation is consequently based on a criminological approach to crime: the killing of Lazarus Averbuch and the investigation of the act depends on the presumption that someone of his “type” is inherently criminal. The issue then becomes the *prevention* of any criminal act on Averbuch’s part. This preconception laughably ruins Assistant Chief Schuettler’s attempt at a Grossian crime scene investigation.

The reader is provided with a window to the crime scene, entering it with Schuettler on p. 24, where the chapter is introduced with a photograph of Shippy’s living room. The photograph reveals the place where the killing took place (the living room, the stairs, and the hallway visible through the door frame) and also the bullet holes in the door and the

wall. Little white crosses (perhaps showing the location of other bullet holes, or the location of the drama's protagonists) bear witness to the investigation itself. While the crosses drawn on the page reveal that the image has been manipulated, they also add to the sense of authenticity since they speak of the photograph's materiality, its use, and its handling by historical actors. The blurry black frame (added in the book but not on the website<sup>24</sup>) highlights the feeling of looking in from the outside or being allowed a privileged look into the past where the events took place. Yet it also adds a touch of theatricality, for it reveals the author's staging of the image, which is clearly not simply printed as evidence or documentation of what is told. The crime scene as it is laid out before us is not a place of sober self-restraint but one of spectacle and drama.

This is underlined by journalist William P. Miller's ambiguous presence and his dramatic journalistic style. Lazarus' death (like much of the investigation) is described in an implicit dialogue with Miller's description of it as it appears in the *Chicago Tribune*. In the account of the killing, Miller's writing is woven into the surrounding narrative, represented in italics:

*At nine o'clock sharp, Chief Shippy opens the door and sees a young man with a foreign cast of features who wears a black coat, a black slouch hat, altogether looking like a working man. In the brief all-comprehensive glance he gave his caller, William P. Miller will write in the Tribune, Chief Shippy took in a cruel, straight mouth with thick lips and a pair of gray eyes that were at the same time cold and fierce. There was a look about that slim, swarthy young man – clearly a Sicilian or a Jew – that could send a shiver of distrust into an honest man's heart. (7)*

The inserted "Miller will write" marks a contrast between Miller's dramatic journalism and the narrator's voice. This distinction is accentuated as a messy drama unfolds: Shippy concludes that the stranger is "*up to no good,*" grasps his arms, and, thinking he has a gun, goes on to draw his revolver:

Without thinking, Chief Shippy shoots at the young man; blood gushes so hard that the burst of redness blinds Foley [the driver, who has just entered the room], who, being well trained and aware of Chief Shippy's dislike of drafts, is slamming the door shut behind him. Startled by Foley, Chief Shippy shoots at him, too, and then sensing a body rushing at him, wheels around like an experienced gunfighter and shoots at Henry

[Shippy's son, coming down the stairs, still wearing his pyjamas and carrying a sabre]. *The vile foreigner shoots at Foley, shattering his wrist, and then at Henry, the bullet piercing his lung.* Consequently more bullets are fired by Shippy and Foley, seven of which hit the young man, his blood and brains spurting and splattering on the walls and on the floor. (8–9)

The narrative above implies that Averbuch is innocent (at least of actually committing any criminal act) and also that Shippy is responsible for the injuries of his driver and his son. The newspaper's response to this event is based solely on Shippy's attempt to cover up what really happens. The narrative account accordingly depicts an almost humorous bloody chaos, in which Averbuch is represented as entirely passive. Miller's report is presented as entirely untrustworthy and biased. Miller's journalism thus serves the purpose of enlisting the sympathy of the reader on the side of Averbuch. Yet the playful exploration of the narrator's voice also reminds the reader that Brik is hardly providing the ultimate truth either. Finally, the dramatic narrative style of Miller's report also serves as a prop in the narrative, which provides substance to the noir-like setting that Brik imagines.

In the *Chicago Tribune*, degeneracy and immigration and their relation to the threat of anarchism is a recurrent theme, with Miller closely following the investigation of Lazarus' death. At one point, the supposed attempt on Chief Shippy's life by Lazarus Averbuch, "*a Russian Jew of the terrorist type*,"<sup>25</sup> is explained by "*lax immigration laws, gross ignorance of our lower-class foreign residents, congenital laziness, and degeneracy common in their respective countries, along with the lethal concoction of the saloon, gambling, and atheism*" (137). One speaker referred to in Miller's article is Father George Field (named—by Brik we must assume—after Brik's wife Mary's conservative, Christian father), who bemoans "*the barbaric ignorance*" of the newly arrived immigrants. In Hemon's story, this is an example of the American brand of early criminology. While for Lombroso the born criminal was an atavistic throwback to an earlier stage of evolution, for his American followers much emphasis was placed on degeneracy. The degeneracy of the criminal is, in the American context, not considered a freakish occurrence but a product of continuous devolution (Rafter 1997, 120). This understanding of degeneracy points to the existence of a "criminal class" in which "poverty, disease, and crime are interchangeable and almost indistinguishable" (ibid.).

The post-mortem examination of Lazarus Averbuch's dead body marks him as a degenerate anarchist. The report includes information about the bullet wounds that killed him (the enumeration of all seven wounds emphasizes the excessive use of violence) but it also states that he was "*somewhat undernourished*," that his nose was not "*of pure Jewish type but has a Semitic cast*," that his hands indicated "*manual labour*," and finally, that "*[t]he thin skull cap, the large mouth, the receding chin, the low forehead, the pronounced cheekbones and the oversized simian ears all indicate a well-marked type of degeneracy*" (87–88). Here Averbuch's body is turned into evidence against itself, an ordered catalogue of features (poverty, working class, foreignness, criminal type) establishing his guilt in the eyes of the public and the police. Such is the case despite the fact that none of these features suggest that Averbuch has in fact committed any crime.

The story of the investigation is primarily seen from Olga's perspective, however, and this serves to counter the criminological categorization: Lazarus' "receding chin" and "simian ears" are childlike and charming in her memory.

And then the way he pushed his ears forward with his fingers and jugged his lower jaw to look like a monkey. The depth of his laughter when Mr. Mandelbaum did his tricks: an egg would disappear then reappear behind Lazarus' jug ear. He refused to acknowledge the first gossamer on his chin. The taste of his curls when she kissed them: sweet and salty, sometimes bitter. His cold face in the morgue; no heartbeat in his chest, nothing. (90)

Countering the strange artificiality of the post-mortem analysis, Olga delivers emotionally charged memories and sensory experiences, a living human memory that perhaps disproves the (pseudo)-scientific forensic construction of Lazarus' character and background.

Two photographs of the dead Lazarus Averbuch, placed on a chair as if alive, are presented in the book. The pictures seemingly prove both the real existence of Averbuch and his death through the photochemical imprint of reality. Yet the peculiar staged postures (demanded by the long exposure time of the dark images) and the slide show-like framing highlight the strange artificiality and staged nature of the situation and of the photograph. The image is clearly not just the product of a mechanical process but also a staged representation. As the image is presented on the page, readers are invited to scrutinize Averbuch's features

as well. We look and consider the strangeness of the analysis that tells us these are the features of a criminal or an anarchist “type.” And in contrast, we align ourselves more with Olga’s perspective and see not “oversized simian ears” but childlike jug ears, not a criminal face, but the face of a perfectly normal young man making funny faces and dealing with the ordinary problems of puberty before circumstances brought him to Chicago and into the frame of the photograph. In this way, readers are forcefully engaged in imagining the circumstances at stake in this perfectly alien yet authentic image of a past event. The photograph documents the existence of the historical Lazarus Averbuch, but it also begs questioning and contextualization: which events, actions, power structures, emotions, and relationships could possibly have led to this strange and disturbing image?

After his death and autopsy, Lazarus Averbuch is unceremoniously buried. And then his body goes missing. In the novel, as in the historical investigation by Walter Roth and Joe Kraus (whose book *An Accidental Anarchist* (1998) provides much of the historical background for the novel), the details around the body’s disappearance remain unclear. Whether or not enthusiastic medical students are responsible for the body’s disappearance, the circumstances are surrounded by uncertainty and rumour. The body’s disappearance quickly becomes politically and religiously charged so that finding and burying the body again becomes urgent in order to avoid riots. As Verdery declared, the movements and ownership of our dead is a delicate business. In the novel, the body is finally found—but with several organs missing. Moving from Chief Shippy’s house through morgues, an autopsy, a clandestine burial, exhumation, and reburial, Lazarus—like his biblical namesake—is not allowed to rest.

To Olga the disappearance of the body is emotionally shocking, and her thoughts revolve around the surreal quality of the whole business, the sitting and then wandering dissolving corpse and the completely unfamiliar portrayal of her brother “the anarchist” in the media. In the process of the police investigation—and in the name of medical science—the body is detached from its identity as a living person and object of memory. In Olga’s imagined letters to her mother this conflict between the narrative of remembering and that of Lazarus the criminal (as established in the public imagination and the media) leads to a breakdown at the level of language: “*Dear Mother, Lazarus is dead, and I am mad. We’re fine otherwise and think of you a lot*” (92). Later, Olga tries



again, “*Dear Mother, I don’t know where to begin*” (95). (These imagined letters home are a coping strategy used several times by both Olga and Brik.) Olga finally agrees to have Lazarus reburied without the missing organs (against Jewish custom) in order to avoid the escalation of violence—and to save Averbuch’s friend Isador. The novel thus revolves around the dead body, as carrier of social and ethnic characteristics, of the traces of murder, burials, and autopsy. But the body also functions—through Olga—as an object of memory, affection, sensation, and mourning.

Hemon’s novel, written in the forensic mode, does not engage specifically with testimony but approaches the murder of Lazarus Averbuch through investigation. It also addresses a number of other historical events and establishes connections between them and the Averbuch case through the reflections of the narrator, Vladimir Brik. Brik is cast as a literary alter ego of the author, and through him the personal history of the author revolving around the war in Bosnia, the siege of Sarajevo, and the experience of immigration is evoked. The novel engages with the author’s own history through the investigation of a historical event and engages with the murder of Averbuch through the narrator’s self-absorbed, half-hearted investigation. Accordingly, Hemon’s book connects with the problems of interpreting, presenting, and narrating evidence, and passing judgment on historical events and on other people on a formal and on a thematic level. It addresses the question of social dangerousness and fear of difference by exploring the dark side of *forensic culture*. That is, a culture concerned with the humanitarian goal of identifying victims of atrocity but also with eliminating the threat of crime and terrorism through surveillance and control.

### IDENTITY, HEREDITY, AND IMMIGRATION

In the novel, the distrust of foreigners that characterized early twentieth-century America is presented as a parallel to America after 9/11. As Georgiana Banita contends, “Hemon opens up a much broader vista of documented racialization that aligns the terrorist attacks and their aftermath with the long *durée* of racial fears in America” (Banita 2012, 207). Or as Wendy Ward has it, “Hemon sharpens an obvious rapport between early twentieth-century ethnic conflicts and the xenophobic hysteria of a twenty-first-century America in which both societies operate on significant levels of fear, violence and discrimination” (Ward 2011, 188). The

criminological reading of the human body of the early twentieth century is thus linked to contemporary racial prejudice. We are reminded that while the killing of Lazarus Averbuch is easily criticized from a contemporary point of view, it is just as easily overlooked that we still read and pass judgment on each other on the basis of visual cues and fear of difference.

Early in the book, while Brik and Rora are still in Chicago, they have coffee at a Starbucks. In this scene, Brik provides Rora and the reader with some historical context about Lazarus Averbuch and the discourses on anarchy and degeneracy which he explicitly links to the America surrounding him:

After Shippy had shot Averbuch, Chicago was in hysterics, because people here still remembered the Haymarket Massacre and the trial and execution of the alleged anarchists who were allegedly responsible for the bloodshed. [...] America was obsessed with anarchism. [...] Editorials bemoaned the weak laws that allowed the foreign anarchist pestilence to breed parasitically on the American body politic. The war against anarchism was much like the current war on terror – funny how old habits never die. The immigration laws were changed; suspected anarchists were persecuted and deported; scientific studies of degeneracy and criminality of certain racial groups abounded. I had come across an editorial cartoon depicting an enraged Statue of Liberty kicking a cage full of degenerate, dark-faced anarchists bloodthirstily clutching knives and bombs. (42–43)

Underlining the comparison with contemporary America, and in keeping with the novel's central strategy of freely associating across time and space, Rora responds with an anecdote about a Bosnian immigrant and Serbian camp survivor. The man was killed at a Starbucks because he refused to stop smoking or leave the premises before he had finished his cigarette, but explained this only in Bosnian.

While I do not agree with Banita that the book has “the attacks of September 11 at its center” (Banita 2012, 208),<sup>26</sup> contemporary American politics *is* a central backdrop to the story and is important for Brik's continuous struggle with belonging. Brik refers angrily to the war in Iraq and to the Abu Ghraib photographs, which are the topic of a particularly aggressive argument between him and his wife, Mary. The subject also recurs in Rora's war stories about the Bosnian gangster “Rambo” during the siege of Sarajevo. We are presented with

a description of a photograph of him (which Rora presumably took), which explicitly echoes the Abu Ghraib images:

Here he was sitting on top of a corpse of one of our soldiers, some poor sap who stood up to him in front of the wrong audience – the boy's eyes were glassy and wide open in surprise, Rambo on his chest with a cigarette in his mouth, as if he were in a commercial for a vacation in Iraq. (183)

This description, linking the war in Bosnia to the one in Iraq ten years later, also recalls the disturbing Lazarus photographs with the police officer posing with the dead body. Placed in the context of the Lazarus story, the Abu Ghraib references are linked to stories of power and oppression across geographical and historical contexts. As such, they serve to remind readers that the identity of the victims in these images constitutes much more than their racial or political identifications.

Distrust among ethnic groups, neighbours, and foreigners, potentially erupting into violence, is central to the political environments surrounding Brik and Lazarus in America then and now. Yet the same suspicion is also fundamental to the histories that concern them—from the war in Bosnia to the Kishinev pogrom. These are all linked in Brik's imagination. In Brik's dreams Milosevic, Mladic, Karadzic, Bush, and Rumsfeld all appear. Moreover, when Brik discusses the Kishinev pogrom with Iuliana—their guide from the Chisinau Jewish Community Center—and asks her how she personally feels about it, he explicitly compares it to the war in Bosnia:

'See, I am actually Bosnian, [...] and when I think about what happened in Bosnia, I feel this filthy fury, this rage at the world. Sometimes, I fantasize about breaking the kneecaps of Karadžić, the war criminal. Or I see myself smashing someone's jaw with a hammer.'

I had no idea whether she knew what happened in Bosnia. Mary did not like to listen about the war and genocide and mass graves or about my accumulated sense of guilt in relation to all that. (250–251)

Researching the Lazarus story becomes Brik's way of approaching the recent past of the war in Bosnia, and the legacies of the mass graves that are still being excavated. It also helps him to examine his own immigrant experience and hybrid identity.

Brik's interest in the life and death of Lazarus Averbuch and the discourse on atavism and degeneracy is connected to their common immigrant experience. But it is also related to the violent outcome of racial and religious stereotyping that he recognizes from Bosnia in the early 1990s and, frighteningly, from America in the early 2000s. This argument could also be extended to the extra-textual level. Wendy Ward argues that Hemon's autobiographical impulse is central "as he persistently targets that space between national identities and cross-cultural trajectories and contemplates transnational possibilities by way of individuals who fall into the author's own flight patterns" (Ward 2011, 186).

Most of the immigrants arriving in America in the early twentieth century lived through circumstances similar to those of Olga and Lazarus Averbuch and, like them, carried the traces of their foreignness in their bodies and faces. Brik disturbs this criminological discourse on heredity as he reflects on how this would have changed over the generations. His American contemporaries had become the descendants of those same immigrants:

Had Lazarus lived, would he have become Billy Averbuch? Would his children have become Avery or Averiman or, who knows, Field [like Mary]? Would he have begotten a later brood of Phillips and Sauls and Bernards and Eleanors, who would have begotten Jameses and Jennifers and Jans and Johns? Would his anarchist proclivities, receding chin, and simian ears have been tucked deep inside the family history, inside the glorious American dream? (100)

A few pages later, these names return when Brik describes a wedding he went to with Mary. The couples at their table all tell the stories of how they met (but the situation causes a conflict between Brik and Mary because Brik instead tells an implausible story about "Cold War rabbits" mating next to the Berlin Wall):

Josh and Jennifer met at their gym; Jan and Johnny were a college couple, broke up, later found themselves working for the same law firm; Saul and Phillip met at a toga party, by a keg of Miller Light. Everybody was happy now, you could tell, the table laden with bliss and future. (103)

Binding together Lazarus and Brik's contemporary America, Brik suggests that ethnic identity is not stable and that today's Americans are

yesterday's immigrants. Brik then ironically states that their foreign traits have been tamed by being "tucked deep inside [...] the glorious American dream" and allows the contemporary (gay) Jewish couple to meet by a keg of Miller Light. (This refers, of course, to the journalist Miller and his degeneration discourse, now served in a "light" version.) Accordingly, Hemon questions the idea of the American dream and of tolerance in contemporary America.

The story Brik delivers ("the unnaturalness of the Cold War, the love that knew no boundaries, the Wall brought down by horny rodents") is for Brik "poignant and funny" and it requires no effort for him to suspend disbelief and enjoy the narrative. But Mary, hurt by his changing the subject, questions the veracity of the story. Brik notes that he "felt that Mary was speaking from across the wall" and that "all the verifiable reality was on her side." Thus, the problem of immigration and cultural difference, this time between yesterday's and today's immigrants (Mary is of Irish decent), is once again stressed.

The issue of immigration (which has been central to the scholarly reception of Hemon's work) and the perhaps more disturbing issue of finding conflict and foreignness at home, are connected in a continuous exploration of cultural identity throughout the novel. Travelling through Eastern Europe (and, initially, modern-day Chicago) and searching for traces of Lazarus Averbuch's life, Brik moves beyond the criminological reading of Averbuch. He does so by providing him with an imagined history and identity loved and mourned by Olga. The journey, all the same, reveals less about Averbuch than it does about Brik's experience and state of mind, since histories of prejudice, homelessness, and violence are connected across time and space.

The complexity and dynamic processes of identity formation explored in the book object to the mechanical sign reading of early criminology and to the fear of difference also repeatedly experienced by the narrator. While in a particular culture a certain way of reading surfaces may become naturalized (see Scholz 2013; Keenan and Weizman 2012), to the immigrant, it is suggested, reading people is always complicated. To Lazarus, reading and mastering words and world was of great importance. In fact, Olga describes the English dictionary in biblical terms as she sits in the outhouse where Lazarus used to practice his English, hugging it to her chest:

What could these mysterious words tell her now? She moans, rocking back and forth as if praying, as if becoming nothing on her way to nothing.

Lout

Lovable

Love

Lovely

Lover

Low

Lower

Lowland

Lowly

Lord, what have I done?

Olga, is that you? Olga?

She yelps with horror, coils up to protect the good book and her heart from whatever is speaking to her. [...] With unbearable relief she considers the possibility that she has lost her mind. (92)

By moving from “lout” over “love,” “lover” and ending with “lowly,” meanings are evoked yet they become a babbling chant, mysterious words that tell Olga nothing and leave her with a useless residue of meaning. To readers, however, the words do carry meaning and the shift from “love” to “low” is used to illustrate Olga’s emotions. Ironically letting a dictionary stand in for the Bible and having Olga resurrect Isador, who is speaking to her from below, the scene is forceful funny, and tragic. Olga’s imagined letter to their mother (quoted above) follows and stages a clash between the extraordinary reality and conventional forms of communication accentuating the entanglement of the tragic and the comic in this scene.

The power of words, but also their sometimes tragic inability to change reality is further emphasized in the Lazarus motif. When Lazarus is buried, Olga chants his name over and over again, hoping for a miraculous resurrection:

Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus,  
Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus,  
Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus,  
Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus, Lazarus,  
Lazarus. But still he is not rising. (270)

The continued chanting includes the audience in dramatic expectancy. Rising, however, is *Isador* not Lazarus, his survival being Olga's reward for allowing Lazarus to be buried contrary to Jewish custom. The stories of Averbuch's burial and Isador's resurrection (transported in a casket with the dead body of Olga's neighbour Isaac, also brutally murdered by the police, thinking he is to be buried alive) are woven together on the level of narrative discourse. This is accomplished with the Lazarus motif twisting and turning when Isador rises from Isaac's casket and is forced into exile. The resurrection of Averbuch does not occur, leaving Olga with only a painful memory.

On their journey, Brik and Rora travel to Krotkiy (the birthplace of Brik's grandfather) and they go to a cemetery to look for graves of the Brik family. They find one, on which there are two photographs. "He's your tribe, Rora said. He looks like you. He certainly did look like me – in 50 years or so: the same large nose and low forehead, the same prominent cheekbones and large, apish ears, the same hirsute eyebrows" (105). The likeness between the two Briks (though the family divided years back) depends, as Rora comments, on their shared ancestry.<sup>27</sup> Brik then contemplates how the face you show the world, the face that identifies *you*, consists of the faces of many others: "A human face consists of other faces – the faces you inherited or picked up along the way, or the ones you simply made up – laid on top of each other in a messy superimposition" (105). As with Francis Galton's composite photographs, which *produce* the typical features of a certain group through superimposition, Hemon suggests that the face of the individual is the product of all the faces you are and carry with you. While (as in Galton's images) the face you see does not capture any real identity, Hemon's version of the Galtonian image suggests the opposite of what Galton tried to achieve. Rather than *reducing* the many individuals in a group to one type, Hemon dissolves the face of the individual into its many different aspects. Turning criminology on its head, then, Hemon refuses its biological determinism and acknowledges that the messiness of identity depends on genetic likeness, cultural influence, individual choice, the gaze of the other, and pure coincidence.

### ILLUSTRATION AND EVIDENCE

The second image of Averbuch's corpse (240) is taken in profile and introduces the chapter describing the Kishinev pogrom as experienced by the Averbuch family. In the photograph, the people in the background

and the police captain holding the body move enough to become ghost-like, blurry, and strangely less real and less present than the perfectly still, dead body in the foreground. The dead person is sitting up, more clearly present than the living people next to him. Consequently, while the public may be convinced through this photograph that the anarchist is dead, the same process brings him alive in their imagination. It is indeed a “mad image, chafed by reality,” as Barthes would describe it.

The chapter opens with a description by Lazarus of the murder of the shopkeeper Mr Mandelbaum by the *pogromchik* Seryozhka Shipkin (Shipkin’s name echoes both that of Averbuch’s killer, Police Chief Shippy, and Brik and Rora’s driver from Chisinau to Sarajevo, who implicates them in an act of human trafficking). The violent murder of Mr Mandelbaum is testified to by Lazarus—yet his voice comes to us through layers of mediation. It is remembered by Olga in the first instance and then ultimately imagined or reinvented by Brik.<sup>28</sup>

Seryozhka stepped on his face with a boot, cracked Mr. Mandelbaum’s skull. I heard the sound, Lazarus said. Mr. Mandelbaum’s left foot flapped around like a carp the whole time, his shoe fell off. He had a hole in his sock. He is dead. I saw it. (241)

Lazarus’ testimony here strangely reflects the photograph on the previous page where the reader, looking through the black-framed window to the past, similarly notices that Lazarus has a hole in his sock. He is indeed dead—I *see it*. The image does not serve as evidence of the act of violence described in the written text, nor does it directly illustrate it. Rather, the imagined testimony of the dead person sitting up as if alive, visible through the black-framed window to the past, connects two acts of racially motivated violence. Next, the description of the violent attack on the Averbuch family during the pogrom brings us back to the photograph and connects Olga’s fear of losing Lazarus in the Kishinev pogrom to the pain of having lost him in Chicago: “He is dead; [...] Here it is, then” (245).

As the historical images are placed in Brik’s fictional reimagining of the events it becomes apparent that they are not so much illustrations of a story or proof of its truthfulness, as the fictional story’s source and occasion. Brik, it seems, is engaged in a process of projection and imagination through the forceful photographic clue. From this engagement, the story emerges even as Brik selects, discards, and reimagines the



historical material. The presence of the photographic evidence implies that there is a reality halting the fictional narrative, troubling its fictional status and tying it to a historical reality that remains urgently important throughout. Yet the moment in which light “stamped and sealed” the evidence onto the photographic surface remains ungraspable, for the historical context cannot simply be deciphered from the images.

Brik’s portrait of Olga is clearly shaped by the defiant stare and posture in one photograph of her, which is included in the narrative (136), yet Brik chooses to omit known parts of the story even though they might be central to understanding Olga’s character and position. For instance, she agrees to a five-hour interview with the press during which she shows so much strategic skill that she is immediately suspected of not having put the statement together herself (Roth and Kraus 1998, 79–85). As we look at the picture, Olga’s rebellious glare and self-confident pose seem to contrast with or least take place outside the events that are related to us in the narrative, while they may certainly inspire it. She stands in front of a telephone hanging on a wall with pages of a newspaper next to it. It is (the Acknowledgements tell us) a picture from the *Daily News*, and was probably taken at the newspaper. The photograph provides readers with clues that might conflict with the surrounding narrative and lead us to doubt Brik’s version of the story. Correspondingly arousing the curiosity and interrogation of the reader the photograph explicitly refers to real events outside the novel’s fictional framework and invites further research and scepticism. Or, alternatively, as the photograph underscores the novel’s fictional status, readers have the deliberate choice of trusting the narrator and temporarily suspending disbelief.

The images, do add a documentary quality to the narrative and link it to an external reality. As both index and icon, they seem to show as well as prove. They testify to the reality of what they represent—even if the story they tell is sometimes in conflict with the surrounding narrative. But Hemon places two *types* of images, old and new, in relation to one another in the narrative. This serves to question the evidential value of pre-digital photography depending on the photochemical (indexical) imprint of reality. Like the historical photographs, the photographs from Hemon’s and Božović’s journey apparently prove that the photographer is physically present in the same place as the photographed motif. But Rora, the photographer, is of course a fictional character, and did not in fact take the pictures. Instead, the

photographs provide a photochemical link between the material pages of the book and a real journey taken by the author and his photographer friend. This situation once again disturbs the relationship between fiction and reality.

Both the historical photographs and the new ones relating to the Brik and Rora storyline are non-digital, and the long exposure time needed (the new photographs are taken without flash) causes the frozen quality of the archival images and the blurriness of the new ones. The artificial frozen postures and Averbuch's dead body in the archival images stand in stark contrast to the dynamic realism of the contemporary photographs. Nonetheless, *both* types of images are enigmatic and not easily decodable. What do any of the photographs really show us? They might be traces of real events but the story they tell is unclear. The contemporary images show only fleeting moments of fluctuating reality, often blurry and ungraspable. These images show the ghostly shape of a moving car, blurry and almost indecipherable, a stray dog, costumed characters, and a TV screen showing pornography. They may document *something*, a trace of a moment, but they prove neither Rora's presence nor a recognizable reality. They only feature fleeting movement and random moments explicitly inviting narrative order and contextualization.

In the photograph of the crime scene, the small crosses drawn on the image fill the empty room with a residue of meaning and reveal the photograph as a "deep surface." This surface carries traces not just of the event and objects depicted but also of the history of the photograph as material object. After the picture was taken the crosses were drawn onto it, presumably as part of the investigation. Marked by writing (x, 52, 166, 216) and fingerprints (190) and ruined in places via exposure to light and wear (x, 24, 190), the photographs are marked not just by the moment of their taking but also of later use. As "things," in other words, even photographs are (like Weizman's buildings) in constant movement and speak of more than just the one moment to which they clearly testify.<sup>29</sup> This phenomenon adds to the sense of authenticity provided by the images. It lends them a surplus of meaning as they become visible as historical objects marked by age and use. But it also invites us to consider them as objects with their own history.

The photographs serve as evidence of the reality depicted and as illustrations of the text, making the faces and places described in the text

visible to the eye of the reader. Notwithstanding, they also engage with the text in ways that are more ambiguous. In the chapter beginning with Lazarus' autopsy report, the photograph shows a group of Jewish girls exercising on a rooftop with their arms stretched towards to the sky. The image is mentioned in the narrative, after Olga has returned to her now empty apartment and remembers her brother:

Here it is. Here sat Lazarus Averbuch, a nineteen-year old boy. Here he ate his kasha, taking crud out of his left eye with his thumb, yawning and exposing his gums and incisors, like a cat. Here he put the tin bowl into the sink and here it clanged against the brim. Here he pinned the picture from the *Daily News*: a throng of Jewish girls exercising on the roof of a building, reaching for something in the sky. (90)

The autopsy report reads Lazarus in terms of his belonging to a criminal class and physical type, atavistic and animal-like with "simian ears." However, the description above compares him to a cat, and while he might again come across as animal-like (even predator-like), the image conveyed to the reader is of an innocent, dreamy, childlike boy entirely devoid of malicious intentions. Again, Olga's memory serves to counter the criminological logic of the report—here in terms of the connection between the animal and the human in the idea of the atavistic criminal.

The photograph of the girls is easily overlooked in the text. It is not so much an illustration or proof of anything aspart of the setting or part of the historical context in which Lazarus lived and dreamed of his future American life. The girls reaching for the sky become an aspect of his characterization, his innocent dreams contrasting with the coldness of his dead body as it is portrayed in the pseudoscientific forensic discourse of the autopsy report. That the image also ambiguously resembles pictures from Nazi Germany (healthy young people exercising or perhaps giving the Hitler salute) invokes other historical contexts looming in the background of a narrative about racial hatred and violence (we learn later that Olga most likely disappeared in the Holocaust (233)).

Much later, in Chernivtsi, Ukraine, Brik and Rora pass by a schoolyard where the children are "exercising to the commands of an instructor in a Communist-red tracksuit, raising their arms up into the sky, then bending to touch their toes" (154). This incident clearly refers to the

photograph of the Jewish girls and its description in the earlier chapter (and the other storyline).<sup>30</sup> In the desolate Eastern European cityscape and seen through Brik's frustrated and self-absorbed gaze, the image here is not dreamily romantic, nor does it invite troubling associations with Nazism. Instead, it is sad and disillusioned, with the girls not just reaching up but also bending down—and soon running round in circles, getting nowhere: "The instructor blew his whistle, and the throng of kids sorted themselves into columns of pairs and started running in circles" (ibid.). The photograph is, as a reference point for this event later in the narrative, used to contrast Lazarus' hopefulness with Brik's navel-gazing disillusionment. This contrast is important to the story but certainly beyond the reach of photochemical proof.

Importantly the photographs do not simply work as illustrations *or* evidence—or even in the ambiguous field between the two. They also serve as tools for the author, creating specific narrative constellations, structuring the reading process and intervening in the interpretive process. They separate chapters and mark the shifts in time, space, and narrative levels. But in more complicated ways they also interact with the text. While the black-and-white images rely on their conventional understanding as mechanical proofs and conveyers of truth, their use in the narrative is more complex. Setting the scene for each chapter and relating in different ways to the surrounding text, the photos are tools in the exploration and presentation of the past and not just an illustration or evidence of it.

### FOLLOWING TRACES, CROSSING BORDERS

Indeed, the photographs mark shifts between plotlines, dividing them into intersecting chapters. They conservatively adhere to the contexts in which they belong rather than disturbing them as is the case in Sebald's works. The photographic borders between chapters help structure the narrative into an approachable shape, almost hiding the fact that the plotlines in written text are less symmetrical and the border between them is far more porous. It slowly becomes apparent that the two stories are intricately woven into one another, each depending on the other, forming a circular structure. As we have seen within the text, Brik's and Averbuch's stories spill over to one another as their trajectories overlap. Past and present are layered into a palimpsest-like texture, a shared space where the presence of each haunts the other while words, sentences,

characters, and events oscillate between the two storylines. Unhindered by the photographic boundaries between chapters, they even disturb the stability of the frozen images.

Brik's impressions and experiences shape his reimagining of Lazarus and Olga's story. Moreover, his motivations are reflected in several of the historical characters as many of his own thoughts are passed on to them. When, for instance, Averbuch walks through the streets of Chicago not long before he is killed he remembers his earlier life and then seems to conclude: "There has been life before this. Home is where somebody notices when you are no longer there" (3). In the last chapter and in the other plotline, Brik returns to his native Sarajevo and reflects: "Nobody seems to remember me. Home is where somebody notices your absence" (278). Lazarus' thoughts in the Chap. 1 (and in the early twentieth century) echo Brik's in the last chapter (100 years later), and the phrase resurfaces several times throughout the text in different iterations.

In another example, while at Ludwig's Supplies and before he goes to his fatal meeting at Chief Shippy's house, Averbuch spends a dime on candy: "He has money to spend on pleasure, he wants to show them. I am just like everybody else, Isador always says, because there is nobody like me in the whole world" (5). This phrase (closely resembling a phrase apocryphally attributed to the famous anthropologist Margaret Mead) is similarly repeated with small variations throughout the book. In the last chapter Brik thinks of his wife, Mary:

Buried somewhere in my luggage was a photo of her mincing onions in the kitchen, donning her water-lilies apron, tears running down her cheeks: she wiped them with her forearm, smiling sunnily, a machete-sized knife in her hand. When she was eleven, her puppy dog died and she wanted it stuffed, but George [her father] had a sage conversation with her explaining that the doggie's soul was now elsewhere, that the body without the soul was empty, that it was natural that flesh should rot and turn to dust. She was like everybody else because there was nobody like her. (284)

This description of Mary echoes Averbuch's memory of Isador, while providing an image of a perfectly ordinary and recognizable human experience. Mary's uniqueness is precisely what makes her like everyone else. The singularity of all makes everyone equal, or so the narrator tentatively suggests, in spite of ethnic, cultural, social, and even historical differences. Consequently, the Averbuch case and its pseudoscientific

criminological forensics of racial and social hierarchies and types is criticized.<sup>31</sup>

As Brik imagines Lazarus' life, his experiences and journey with Rora inform the past. For instance, they fill Olga's dreams with a sea of sunflowers taken from a Moldovian landscape that they travel through. The plotline about Lazarus and Olga Averbuch takes on a different meaning as this connection becomes apparent. The reader's image of Lazarus and his sister at the beginning of the book is formed by Brik's motivations and the Eastern European present with which we become familiar only later on.

Sitting in a McDonalds eating "McEggs," Brik comes up with a brief narrative about Averbuch:

He had to buy from Mr. Eichgreen all the eggs he cracked in packing; the first few weeks at work he and Olga ate nothing but eggs: fried eggs, boiled eggs, raw eggs, beaten eggs with sugar. Isador did not have to buy eggs, because he was good at packing them, but he stole and sold them until he was caught and fired. (208)

Hence, the most unromantic of items, the "McEggs" meal, becomes the unlikely object that connects Brik's present to Averbuch's life (he packed eggs for a living). It ends up contributing to the portrayal of both Averbuch and his friend Isador while solidifying a sense of their relationship to each other. The egg becomes a kind of clue, a trace that links past and present (Moretti 2000). But it is also strangely empty as it holds no mystery and reveals nothing but Brik's rather random process of imagining Averbuch's reality.

The egg returns several times, for instance popping out behind young Lazarus' jug ear (90). We also see it as metaphorical yellow yolk on a train window as the sun goes down while Averbuch travels across Europe towards America (176). A rather disillusioned image of a future in the New World. Elements of the narrative travel between times and places, engaging the reader in a forensic process of following traces through the text. Towards the end of the novel, the overlaps become still more frequent; words and sentences echo each other across the temporal distance, as both worlds coexist in Brik's imagination. Examples of images, words, and characters that traverse the temporal distance are plentiful and reveal the circular logic of the book: Averbuch's murder is the occasion for Brik's and Rora's journey, but it is the journey—and ultimately

Rora's death—that frees Brik from his self-absorbed, naval-gazing state and enables him to write the story. In the end, it is unclear whether Rora's death is indirectly caused by Averbuch's (Averbuch's story being the reason for the journey), or whether Rora's death triggers the story of Averbuch's murder, finally allowing Brik to start writing his book. Words, phrases, and characters migrate between the two plotlines and refuse to acknowledge the black-page borders between the two, which reframe and change their meanings nonetheless.

The crossing of borders is not without complications. Both physical places in time and space and abstract divisions between legal frameworks, borders cause you to halt and change context, reference point, and status. "It took us forever to cross the Ukranian-Moldovan border," (180) Brik comments, as his and Rora's passports are thoroughly studied by both the Ukrainian and Moldovan border guards. While this happens, Brik imagines Lazarus crossing the border between the Russian and Austro-Hungarian empire, "a long column of refugees" stretching down the road for miles. Waiting for the border guards to finish reviewing their passports, Brik notices a "sleeveless guy." The man takes the opportunity, when the border guards are occupied, to cross the border illegally. "It was most fascinating and encouraging," Brik comments,

his disrespect for international – indeed, all – law, his absence of fear of armed, uniformed power. I couldn't even begin to contemplate such an operation, because I had places to go and get back to. There was home and away-from-home in my life, and the space between the two was rife with borders. And if I violated the laws governing the home/away-from-home transactions, they would keep me away from home. (181–182)

While, for Brik, belonging has been notoriously complicated, home is suddenly unambiguous and real. "If you can't go home," Brik notes, "there is nowhere to go, and nowhere is the biggest place in the world" (182). The border cannot be photographed, Rora says (181), and is both intangible and very real. In the book, the border divides geographical and national enclosures and also separates those who travel legally from those who do not. It creates hierarchies between national identifications and emphasizes the dynamics between home and away-from-home. While the narrative and its characters continually travel across borders, the transnational movement is troublesome and heavy with legal, economic, and cultural issues. Like Rosenberg's book, *The Lazarus*

*Project* thus thematizes migration and transnationality, highlighting geographical borders, and exploring dynamics and hierarchies connected to legal and cultural categorization.

The hard reality and the shifting permeability of borders is emphasized by Rora telling stories about the trade in bodies going on during the siege of Sarajevo, through a tunnel under Sarajevo airport. The horror of the tunnel is described by Rora in terms of coming back from the dead: "I've read about people who died but then came back. They described it as passing through a tunnel. Well, the tunnel they passed through was under the tarmac of the Sarajevo airport" (178). Crossing the border is connected here to resurrection, a theme that recurs throughout the book and is tied to the figure of the resurrected Lazarus, the immigrant and wandering dead. Lazarus further connects themes of memory and migration, suggesting that the immigrant is like someone who has been resurrected and needs to make sense of the memories of two lives. The border between here and there thus resembles Rosenberg's wall in *A Brief Stop on the Road from Auschwitz*.

The biblical Lazarus is an immigrant, forced into a continued existence:

Did he remember the mornings with his sisters, waking up with a sunbeam moving across his face like a smile, the warm goat milk and boiled eggs for breakfast? And once he was resurrected, did he remember being dead, or did he just enter another dream of another life [...] did he have to disremember his previous life and start from scratch, like an immigrant? (127)

Note that in Brik's imagination the biblical Lazarus also eats boiled eggs, linking him to Lazarus' fingertips and the sad McDonald's breakfast in Chisinau, Moldova.

Being away from his home in America, travelling uncomfortably through the landscapes of Ukraine and Moldova, Brik feels utterly displaced. Moving through the crowd at the Chernivtsi bus station, he is frustrated, sweating, angry, and distrustful of all "these people, these foreigners" ("I had no doubt that gangs of thieves had already congregated to plan the filching of my possessions," 176). He imagines that the centre of his identity has shifted.

[I]t used to be in my stomach, but now it was in my breast pocket, where I kept my American passport and a wad of cash. I pushed this bounty of



American life through space; I was presently assembled around it and needed to protect it from the people around me. (177)

Brik's identity shifts as his discomfort and uncertainty in the desolate Moldova makes him value his American citizenship perhaps more than his "patriotic but useless Bosnian passport" (180).

While in relation to the Lazarus story and in his criticism of American foreign policy and the War on Terror, Brik positions himself against racial, religious, and cultural prejudice. In fact, he continuously stumbles into similar prejudice and aggression in himself. He criticizes Mary for her all-American optimism and naiveté and his father-in-law for his "constant, stupid questions about *my country*." "This remote, mythical place [...] a remnant of the world from before America, a land of obsolescence whose people could arrive at humanity only in the United States, and belatedly" (162). Yet he looks at the Eastern European towns and landscapes distrustfully, fascinated by their trashy exoticism. These he portrays rather stereotypically—as he does the noir-like setting of Averbuch's cold and sinister Chicago.

Rora and his camera provide an insistent outside perspective on Brik's frustration and self-pity and are constant witnesses to Brik's emotional journey. This reminds readers of their dependence on Brik's perspective and state of mind in their interpretation of the story. The narrator in all his likeable unreliability is implicated in the novel's dynamic investigation of identity both through his own reflections on the issue and on a formal level. Such is the case, as Brik's perspective is always reflected and refracted through Rora's comments, stories, and jokes—and the camera's lens. While Rora is the performing storyteller *par excellence*, he also serves as a counterpoint to Brik, reminding us that Brik provides one specific perspective on the world—one that is not entirely reliable. Rora refuses to allow Brik the role of tragic hero in his own story, making fun of him and continuously throwing his self-pity into relief:

At one o'clock, the twelve o'clock bus was still in the station, and I was blaming the wait and the heat on my fellow travellers: they stank, they were ugly, they were pissed and passive, I hated them. Rora, on the other hand, wandered around, photographing. He seemed at home in the uncertainty of the moment, in the mayhem of waiting for something to happen. Every once in a while he would come back and see if I needed anything, the main purpose being, I suspect, to display his superiority in

the situation. I needed everything – a shower, water, to shit, comfort, love, to reach the end of this lousy journey, to write a book. I need nothing, I snapped. He snapped back at me, a close close-up. (176)

Brik's disposition is particularly obvious when Rora simply tells Brik to be quiet or when he interrupts with crude jokes. He thus changes the mood and the perspective so radically that the reader is forcefully torn away from Brik's point of view. When Brik speculates, philosophically, that it is "so much easier to deal with the dead than with the living" (107), he goes on to complain, first pompously, and then almost pitifully that

splendorous temples were built on the belief that death does not erase the traces of those who lived, that someone up there busies himself with keeping tabs, and is going to send down Mr. Christ or some other delusional prophet to resurrect all of the disintegrated nobodies. The promise is that even when every trace of your life vanishes absolutely and completely, God will remember you, that He might devote a speck of thought to you while reposing between putting up universes. (ibid.)

Rora responds with a joke (and I quote only the beginning of it):

I knew a guy in Sarajevo called Vampir, because his bright idea was to take his ladies to the Koševo cemetery for a fuck. He figured it was clean, nobody would bother them, she would cling to him out of fear, and there was always candles if the chick was a romantic one. (ibid.)

Brik's pseudo-philosophical reflections reveal themselves as products of his frustration, for the cemetery that inspire Brik's monologue also provides an occasion for one of Rora's prosaic but always well-timed jokes. Similarly, it becomes just a little bit amusing when Brik compares his own reasonably successful migration story to Averbuch's tragic experience—as Mary also soberly reminds him: "She found my idea of a Lazarus who struggled to resurrect in America a tad pretentious, particularly, she said, since my own American life was nothing to complain about" (41–42). The parallel between Brik and Averbuch is explicitly introduced early in the book,<sup>32</sup> and Brik keeps the parallel going throughout, even though the reader is increasingly sceptical of this self-pitying comparison.

At the end of the book, when Brik and Rora finally arrive in Sarajevo, Rora is killed. As in Averbuch's case, we never really learn what happened to Rora. But suddenly, the constellation shifts. Rora, who has

actually experienced the siege of Sarajevo, has gone through immigration, has now been murdered, and has a loving sister with small heels and frail ankles (who “somehow” reminds Brik of Olga Averbuch, 279), is suddenly cast as the contemporary parallel to Averbuch. Identity, with the layers of faces borrowed, chosen and carried along, is again portrayed as something dynamic that depends largely on perspective.

As we can see, *The Lazarus Project* does not investigate a particular historical event or its specific aftermath in the present. Instead, it uses historical material as an entry point for exploring trans-historical issues of racial hatred, violence, homelessness, and migration. Through the Lazarus story, it suggests to us that the criminological discourses of the late nineteenth and early twentieth centuries, while dismissed and largely ridiculed as scientific practices, find an echo in contemporary conflicts and have indeed entered our contemporary culture through “the front door.” A forensic criminological approach to identity condemns Lazarus as a criminal. Yet it is challenged by the novel’s exploration of identity as dynamic and connected to the stories and faces you choose, tell, inhabit, and validate as your own. “The one thing I remembered and missed from the before-the-war Sarajevo,” Brik says, “was a kind of unspoken belief that everyone could be whatever they claimed they were – each life, however imaginary, could be validated by its rightful, sovereign owner, from the inside” (20).

Thus, *The Lazarus Project* challenges a contemporary fear of difference, which echoes that of Averbuch’s America. In forensics, identification and investigation depends on the story our bodies tell. In criminological discourses still in use, it is similarly the story told or involuntarily revealed by our bodies that places us in racial, political, and social categories. *The Lazarus Project* suggests that there is an important link between early criminology and contemporary racialized discourses leading to violence, war, and ethnic cleansing. As a result, the novel insists that *identity* is more than identification, more than likeness between types or across generations decoded from the surface of our bodies.

### STORYTELLING, FICTION, AND THE FORENSIC MODE

Rora documents the journey with his camera, but he is also a storyteller, and his war stories, anecdotes, and jokes contrast with Brik’s navel-gazing and pseudo-philosophical speculations. His often implausible stories are validated by photographs but they are first and foremost easy to

believe because they are good stories and because Rora seems to belong in them.

In Milan he had made so much money playing gin rummy that he had to spend it right then and there or the people he had fleeced would have killed him. So he took them all to the most expensive restaurant in the world, where they ate fried monkey eyes and black mamba kebab and, for dessert, licked honey off the breasts of drop-dead-gorgeous waitresses. He showed us as evidence a photo of the Milan Cathedral. (20)

Photography here depends on the *convention* that it can function as evidence. Crucially, however, photographs serve primarily as *props* in Rora's stories, elements in the performance of the *good story*. In the following discussion, I posit that this is also what they do in Hemon's narrative. They form part of a particular way of telling stories, where evidence and precise truth are less important than their function as part of the storytelling.

The topography of the photo-text (Horstkotte 2008), then, takes on a different meaning. The photographs introducing each chapter do not just provide windows onto the past, but as the frames make the images resemble slides in a slide show, airily accompanying a social act of narration, the photographs become props or elements in the performance of the story. The photographs structure and authenticate the narrative performance in a distinctively social setting, a space—or a forum—for telling and listening. *The Lazarus Project* presents a spatial layout that does not constitute just the layered spaces of East and West, past and present. It is rather a more intimate setting between author and reader in which stories are told and the audience is invited to enjoy Rora's jokes, cry for Olga, and engage in the detective work of sorting out links and connections.

In Hemon's novel, investigation never leads to solving the crime, not within the story and not on the level of narration. Neither Lazarus Averbuch's nor Rora's murders are truly explained. While the novel relies on the conventions of detective fiction that investigation leads to conviction and that the clue connects the plots of past and present, it disappoints because the reader remains unconvinced. Furthermore, the clues multiply and create associations between events that have no causal connection. Criminalistic investigation is hindered by fear and politics, which inevitably shape what we can learn about events. In its place, the

unresolved mystery foregrounds the impossibility of the mechanical decoding of evidence and the importance of perception and perspective in interpretation processes and judgment. Similarly, Hemon's use of photographs draws attention to the ambiguities of visual or demonstrative evidence as a resource and a tool for storytelling that *makes evident*, that is, makes something visible to the forum in a particular way.

Throughout the journey, Rora tells stories about his experiences travelling around the world and more specifically about the war in Bosnia that Brik did not experience because he was in Chicago when the war started. Brik feels guilty for being away from his home country at a difficult time and becomes completely involved in Rora's stories. They are, however, not true, or at least are highly exaggerated. Even so, in the extraordinary context of war they almost come to seem possible (if not exactly plausible). Although Rora lies there also seems to be something else at stake: a social act of storytelling that has less to do with veracity than with community. Brik obviously craves the war stories and Rora provides them but it is about something else as well: Brik and Rora have known each other since childhood and his wild stories from back then made sense to Brik. This is not because the stories were true but because they worked as stories: "it was easy to choose to believe him; you could choose to trust his stories because they were good" (20). Later Brik says the following about this Sarajevo way of telling stories:

Sarajevans told stories ever aware that the listeners' attention might flag, so they exaggerated and embellished and sometimes downright lied to keep it up. You listened, rapt, ready to laugh, indifferent to doubt or implausibility. [...] Disbelief was permanently suspended, for nobody expected truth or information, just the pleasure of being told a story and, maybe, passing it off as their own. It was different in America: the incessant perpetuation of collective fantasies makes people crave the truth and nothing but the truth – reality is the fastest American commodity. (102–103)

Perhaps this is the kind of storytelling that Rora performs? It seems to be the book's approach to telling the Averbuch story too. It is not the truth, but rather a borrowed story that is re-imagined and performed, perhaps staging a social interaction between storyteller and appreciative audience instead of delivering truth. Historical fact, autobiographical reference, and photographic traces are important in this context. As Ward insists, Hemon's autobiographical presence cannot be dismissed

as a merely stylistic feature. “It cannot be overlooked,” she argues, “the extent to which Hemon pits fact against fiction, the real with the unreal, not simply for nuance or effect but more to mine a narrative imagination” (Ward 2011, 190). In *The Lazarus Project*, an urgent engagement with real events is staged through the use of fictionality. In the tradition of historiographic metafiction, this technique serves to challenge simple narratives (of history, politics and criminology) but also to impose the same challenge on contemporary political culture.

*The Lazarus Project* engages the reader in a “Sarajevan way of telling stories” where “disbelief is permanently suspended” as it “borrows” stories of others and of the past and passes them on in fictionalized form. In this way, *The Lazarus Project* explores the means and the genres we use to convince, to signal authenticity, and to approach and explore complex notions of identity.<sup>33</sup> The novel establishes a forum for storytelling where the reader is invited to laugh, cry, and enjoy a good story. In addition, the mechanical evaluation and judgment of bodies and evidence is criticized on both a thematic and a formal level. The novel’s use of photography specifically addresses the notion of evidence, and it explores the photograph and its relation to the past and to the narrative that accompanies it.

Is this forensic literature, then? *The Lazarus Project* is not the sober search for historical truth that we see in Rosenberg’s, Mendelsohn’s, and Søbeye’s narratives. Hemon’s book is, nonetheless, concerned with real historical events and is tied to them through explicit historical and (auto)biographical references, including photographic evidence and the paratextual acknowledgement of source material. Its investigation of a historical murder is used to challenge a contemporary culture still pervaded by racialized violence and intensely concerned with elimination of risk, identification of the potential criminal, and prevention of crime. Thus, the forensic mode of writing is not limited to non-fiction, and in this case fictionality is used as one narrative strategy in the novel’s exploration of the past. Many of the forensic works hover on the borders of fiction.<sup>34</sup> These hybrids claim a genuine engagement with the past as the documentary aspects of the narratives insist on keeping reality close. Yet elements of fictionality invite engagement, imagination, exploration of imagined or remembered scenarios. *The Lazarus Project* differs from most of these as the forensic narratives are generally careful of immersion, of suspension of disbelief. They tend to invite a critical, reflexive view on the narrator and on the evidence.

## NOTES

1. The popularity of steam punk aesthetics seen in TV series such as *Ripper Street* and *Doctor Who* perhaps also points to a certain nostalgia in relation to a time where the mechanics of cogwheels and kettles were visible to the naked human eye, and where science held that the surface could reveal what was hidden beneath.
2. Susanne Scholz opens her book with an interesting contemporary example. Using genetic analysis and 3D facial mapping techniques, researchers from Penn State University study how genes and ancestry influence human facial traits. In 2014 GenomeWeb News published a follow-up: “A group of scientists studying genes and SNPs [Single Nucleotide Polymorphism, a DNA sequence variation occurring commonly within a population] involved in giving human faces their shapes says [...] that DNA could one day be used to create facial models, or DNA-based mugshots, from samples at crime scenes. The researchers, led by Penn State University anthropologist Mark Shriver, say they have worked up a computer program that can translate genes and SNPs into crude three-dimensional models of faces, based on a DNA sample. [...] While the proposition that these tools could be used to help forensics investigators create DNA-based ‘mugshots’ may be the application most likely to pop up on CSI: MIAMI, the authors say their methods could be used to predict facial features of descendants, deceased ancestors, and even extinct human species” (GenomeWeb 2014). See also Reardon (2014).
3. Stephen Jay Gould has argued that “[t]he second half of the nineteenth century was not only the era of evolution in anthropology. Another trend, equally irresistible, swept through the human sciences – the allure of numbers, the faith that rigorous measurement could guarantee irrefutable precision, and might mark the transition between subjective speculation and a true science as worthy as Newtonian physics” (Gould 1997, 106).
4. Lombroso famously defined the “born criminal” as “an atavistic being who reproduces in his person the ferocious instincts of primitive humanity and the inferior animals” (Lombroso quoted in Horn 2003, 30). In the end he had to conclude that only a small percentage of criminals bore the traces of his “criminal type.”

5. This was in contrast to phrenology, which Lombroso termed “qualitative and deterministic.” In phrenology, the shape of the skull was considered a cause for specific mental characteristics, while in Lombroso’s work “anomalies were the signs of something else (atavism, degeneration, social danger), and thus played a part in a medical semiology” (Horn 2003, 15).
6. In his book *The Criminal Body* (2003), David Horn is concerned with Italian criminal anthropology and specifically Lombroso, but also foregrounds the connections across and beyond Western Europe of scientific discourses. While Italian criminal anthropology has been contrasted particularly to French criminal anthropology, Horn argues that this division ignores the heterogeneous nature of the two “schools” and importantly also the porousness of borders in terms of criminological practices (experiments, instruments, techniques of collection and display, and measures of crime prevention), interests and trade in texts, instruments, and objects of study (Horn 2003, 3–5).
7. Rafter comments that while eugenics died out after World War II, it has now been replaced by a “new” or “liberal” eugenics (aborting foetuses with unwanted characteristics, choosing gender, modifying germ lines and creating sperm banks of sperm from particularly gifted people) performed not by biocriminologists or oppressive regimes, but by democratic politicians and the citizens themselves (Rafter 2008, 246–247).
8. A famous example in which criminology and criminalistics merge is that of Jack the Ripper. The fear of the anonymous criminal hidden in the crowd is here combined with an urgent need to read the crime scene and the bodies of the victims, inscribed by the criminal through his act of violence. The subject of the forensic gaze in Hemon’s novel, Lazarus Averbuch, is, I will argue below, similarly placed between the two forensic modes of viewing. His body is read as a bearer of signs of atavism and degeneracy, pointing towards his murder being an act of prevention gone wrong, as well as a carrier of traces of the event itself.
9. While crime has of course always been committed in a specific time and place it was only with Hans Gross and later with the French criminalist Edmond Locard that the crime scene as a “distinct analytical space, bounded conceptually and operationally by explicit rules of practice” came into being (Burney 2013, 2).



10. The ideal of mechanical objectivity was also evident as a tension in criminal anthropology between the mechanical recording of the bodily signs and the expertise of the scientist. Using recording devices such as cardiographs, ergographs, pneumographs, and myelographs, which produced inscriptions directly from the body of the criminal, the scientist aimed to minimize his own intervention and extend his range of observation. These technologies measured bodily reactions such as blushing, erection, and pulse, and sought to establish links between exterior and interior states and make the body speak and give itself away.
11. The connection between early photography and objectivity was not, Daston and Gallison argue, that “the photograph was more obviously faithful to nature than handmade images [...] but because the camera apparently eliminated human agency” (Daston and Gallison 2010, 187). As identical photographic plates, exposed in identical conditions, could produce completely different images, however, it became increasingly clear that the struggle against subjectivity could not be resolved by photography. To make the photograph deliver a faithful representation of nature the professional intervention of the disciplined, self-mastering scientist was needed.
12. Miles Orvell suggests that the fascination with photography in the period is connected to the seemingly paradoxical coexistence of these two views, which he connects in his term “artificial realism” to its “perpetual juxtaposition of mimesis and make-believe,” as Mnookin has it (Mnookin 2008, 41–42). (See for instance Orvell 1989, 101.) While this contradiction could be accepted and even enjoyed outside the courtroom, in legal contexts the slippery epistemological status of the photograph made it hard to place.
13. According to American jurist and expert on evidence J.H. Wigmore, “[w]e must somehow put a testimonial human being behind it (as it were) before it can be treated as having any testimonial standing in court. It is somebody’s testimony—or it is nothing” (J.H. Wigmore quoted in Mnookin 2008, 44).
14. In his (photographic) essay on photography, *Camera Lucida*, Roland Barthes presents a persuasive and influential analysis of the paradoxical nature of the photograph. Barthes writes that the “having been there” of the photograph makes it an “extended, loaded evidence”: “Now, in the Photograph, what I posit is not

only the absence of the object; it is also, by one and the same movement, on equal terms, the fact that this object has indeed existed and that it has been there where I see it. Here is where the madness is, for until this day no representation could assure me of the past of a thing except by intermediaries; but with the Photograph, my certainty is immediate: no one in the world can undeceive me" (Barthes 2000, 115).

15. "[T]he photographic image, even to the extent that it is a trace (not a construction made out of disparate photographic traces), cannot be simply a transparency of something that happened. It is always the image that someone chose; to photograph is to frame, and to frame is to exclude" (Sontag 2003, 46).
16. "The purpose of demonstrative evidence is to explain or illustrate other admitted pieces of substantive evidence. In itself demonstrative evidence does not generally have any probative value" (Gardner 1996, 427). Or in the definition proposed by Robert Brain and Daniel Broderick: "'Demonstrative evidence' is any display that is principally used to illustrate or explain other testimonial, documentary, or real proof, or a judicially noticed fact. It is, in short, a visual (or other sensory) aid" (Brain and Broderick 1992, 969). Mnookin acknowledges that claiming that the new category of evidence brought demonstrative evidence into being is perhaps overstating the historical case, as "demonstrative evidence did not yet have a stable meaning by the turn of the century."
17. Concluding their article on Hans Gross, Burney and Pemberton briefly address Hans Gross' use of crime scene photography. They state that while Gross is enthusiastic about the usefulness of photography in crime scene investigation he refuses to simply equate photography and truthful reproduction, noting that "photographs frequently create a wholly wrong impression" (Burney and Pemberton 2013, 24). Nevertheless, he turns this idea into a potential resource for forensic investigation, arguing that when an object has been observed with "great minuteness and application" one may become used to its appearance. But when it is photographed "the new colour, the new situation, and the new aspect enable us to see it from another point of view and reveal fresh details which have not yet been discovered" (Gross, quoted in Burney and Pemberton 2013, 24). The distortions of the photographic medium enable a different mode of viewing, which may

reveal unnoticed details, and may record nuances of colour not visible to the human eye (bruising for instance). On the other hand, of course, distortions can mislead and thus “[i]n photography, as in all matters of crime scene investigation, seeing effectively requires disciplined self-awareness that cannot be achieved through mechanical means alone” (Burney and Pemberton 2013, 24).

18. One of its chief functions, Hedrick says, is “to represent the very absence of representation” (Hedrick 2000, 122), to point to the fact that no verbal interpretation is taking place. This function also makes silence and absence central tools of contemporary memorials and representations of trauma in art and literature.
19. “A second feature that sets the photograph apart from other images is its indiscriminate recording of all the details that were present before the camera’s eye. [...] Since the early days of the new medium, critics have remarked on the photograph’s unselectiveness or all-inclusiveness and linked it to the seemingly authorless quality of the photograph. [...] Ultimately, the automatic inclusion of daily, ordinary, even banal details within the photograph’s frame affects the way the world is seen. Through the everydayness of photographic aesthetics, the familiar (and often-times overlooked) aspects of the real world are more readily perceived and thus gain in importance” (Horstkotte and Pedri 2008, 14–15).
20. The book was dropped by its US publisher, Henry Holt and Company, after it emerged that a source who claimed to have been on the US bombing mission over Hiroshima had invented his story.
21. In *Mapping World Literature*, Mads Rosendahl Thomsen comments on the fact that Hemon “experiments with the inclusion of incorrect English as a stylistic feature” (Thomsen 2008, 128). Thomsen argues that “the liberation from the norms of proper writing and speech makes way for play with the language that can be joyful through both the sound and the rhythm of the words, and the gliding into other unintended meanings” (Thomsen 2008, 128). Wendy Ward similarly argues that Hemon’s prose “churns on a heightened appreciation of the language as a relatively new non-native speaker, with unusual words and phrases and refreshing cadence” (Ward 2011, 190).
22. Brik’s life and background is very similar to that of the author. As Ward comments, “Hemon has perfected protagonists that cling

- closely to his own life trajectory while, at the same time, jettison off into their own fictional spheres, leaving the reader all the more anxious to somehow certify that identification bind” (Ward 2011, 186).
23. In the other plotline, we learn that the narrator Vladimir Brik has taught an English as a second language class.
  24. On the web page the story is told according to a very different logic, the pictures (and there are many more of them than in the book) rather than the narrative moving the story forward.
  25. Note the slip from “anarchist” to “terrorist” here, linking the event to contemporary America.
  26. Hemon himself has commented that he prefers to understand the novel as a post-Abu Ghraib rather than a post-9/11 work (see Ward 2011, note 4, 197).
  27. The description furthermore echoes that of Lazarus in the autopsy report.
  28. Thus, it is from Brik’s imagination that the name Seryozhka is placed in that context, but also the character Mandelbaum, the friendly shopkeeper, is invented by him, from the names in the Chisinau cemetery (234).
  29. Weizman (2011). In his contribution to Thomas Keenan and Tirdad Zolghadr’s *The Human Snapshot* (2011), Weizman explicitly links forensic processes to those of photography: “Just as film, when exposed to light, produces an image that can become legible to the human eye, so too matter – ever saturated by its environment – is turned by the forensic process into an image, a thing-image. Bones, architectural details, buildings, cities, large-scale soil formations can image (now a verb) the environmental forces to which they have been exposed. While chemical treatment in a darkroom was the process by which the photographic image first became visible across a surface of silver salts, today forensic operations involving chemistry, physics, biology, and geology allow us to make visible – and thus contestable – material surfaces imprinted by an ever-shifting, entangled human/natural process” (Weizman 2013, 193–194). Reversing this logic photographs as evidence of past events should also be considered as things in themselves—image-things, if you will.
  30. This emphasizes the fact that Brik’s story (like Averbuch’s) is imagined by someone else: his experience in Ukraine is clearly inspired by a photograph from the *Chicago Daily News* of a hundred years earlier.

31. The principle easily applies to the modern forensic identification of bodies in mass graves, yet in practice the uniqueness of all is subjected to categorizations of ethnicity and religious affiliation.
32. "I had to admit," Brik writes, "that I identified easily with those tra-  
vails: lousy jobs, lousier tenements, the acquisition of language, the  
logistics of survival, the ennoblement of self-fashioning. It seemed to  
me I knew what constituted that world, what mattered in it" (41).
33. In the face-skull superimposition photographs of Josef Mengele  
the image that emerges is, it could be argued, also fictionalized. By  
paradoxically placing the same individual, living and dead, in the  
same image, by making the skull visible through the face, the pic-  
tures do something that is otherwise limited to fictional represen-  
tations. Yet it is exactly this that makes the image so convincing.
34. See for instance Stefan Hertmans' novel about his grandfather  
*War and Turpentine* (2016) and clausbecknielsen.net's *The  
Suicide Mission* (2008).

## REFERENCES

- Banita, Georgiana. 2012. *Plotting Justice—Narrative Ethics and Literary Culture after 9/11*. Lincoln: University of Nebraska Press.
- Barthes, Roland. 2000. *Camera Lucida*. London: Vintage.
- Brain, Robert, and Daniel Broderick. 1992. The Derivative Relevance of Demonstrative Evidence: Charting its Proper Evidentiary Status. *University of California Davis Law Review* 25: 4.
- Burney, Ian, and Neil Pemberton. 2013. Making Space for Criminalistics: Hans Gross and fin-de-siècle CSI. *Studies in History and Philosophy of Biological and Biomedical Sciences* 44 (1): 16–25.
- Daston, Lorraine, and Peter Gallison. 2010. *Objectivity*. New York: Zone Books.
- Gardner, H. Wayne. 1996. Explanations and Illustrations: Demonstrative Evidence in the Criminal Court-room. *Criminal Law Quarterly* 38: 4.
- Gould, Stephen Jay. 1997. *The Mismeasure of Man*. London: Penguin Books.
- Hedrick, Charles. 2000. *History and Silence*. Austin: University of Texas Press.
- Hertmans, Stefan. 2016. *War and Turpentine*. New York: Patheon.
- Hirsch, Marianne. 2008. The Generation of Post-Memory. *Poetics Today* 29 (1): 103–128.
- Horn, David G. 2003. *The Criminal Body—Lombroso and the Anatomy of Deviance*. New York: Routledge.
- Horstkotte, Silke. 2008. Photo-Text Topographies: Photography and the Representation of Space In ed. W.G. Sebald and Monika Maron. *Poetics Today* 29 (1): 49–78.

- Horstkotte, Silke, and Nancy Pedri. 2008. Introduction: Photographic Interventions. *Poetics Today* 29 (1): 1–29.
- Hutcheon, Linda. 2005. *A Poetics of Postmodernism: History, Theory, Fiction*. New York: Routledge.
- Keenan, Thomas. 2014. Getting the Dead to Tell Me What Happened. In *Forensis—The Architecture of Public Truth*, ed. Forensic Architecture. Berlin: Sternberg Press.
- Keenan, Thomas, and Eyal Weizman. 2012. *Mengele's Skull*. Portikus: Sternberg Press.
- Mnookin, Jennifer L. 2008. The Image of Truth: Photographic Evidence and the Power of Analogy. *Yale Journal of Law and the Humanities* 10 (1). Selvmordsaktionen, Gyldendal. [Clausbeck-nielsen.net](http://Clausbeck-nielsen.net)
- Moretti, Franco. 2000. The Slaughterhouse of Literature. *Modern Language Quarterly* 61 (1): 207–227.
- Orvell, Miles. 1989. *The Real Thing: Imitation and Authenticity in American Culture, 1880–1940*. Chapel Hill: The University of North Carolina Press.
- Pellegrino, Charles. 2010. *The Last Train from Hiroshima*. New York: Henry Holt and Company.
- Rafter, Nicole Hahn. 1997. *Creating Born Criminals*. Urbana: University of Illinois Press.
- Rafter, Nicole Hahn. 2008. *The Criminal Brain*. New York: New York University Press.
- Roth, Walter, and Joe Kraus. 1998. *An Accidental Anarchist*. San Fransisco: Rudi Publishing.
- Scholz, Susanne. 2013. *Phantasmatic Knowledge—Visions of the Human and the Scientific Gaze in English Literature, 1880–1930*. Universitätsverlag Winter: Heidelberg.
- Siegel, Greg. 2011. The Similitude of the Wound. *Cabinet* 43: 95–100.
- Sontag, Susan. 2003. *Regarding the Pain of Others*. New York: Picador.
- Thomsen, Mads Rosendahl. 2008. *Mapping World Literature*. London: Continuum.
- Ward, Wendy. 2011. Does Autobiography Matter? Fictions of the Self in Aleksandar Hemon's The Lazarus Project. *Brno Studies in English* 37(2): 185–199.
- Weizman, Eyal. 2011. *The Least of all Possible Evils*. London: Verso.
- Weizman, Eyal. 2013. The Image is the Bone. In *The Human Snapshot*, ed. Thomas Keenan, and Tirdad Zolghadr. Berlin: Sternberg Press.

### Web Pages

- GenomeWeb. 2014. DNA Mugshots. Blog Entry, March 25, 2014. <https://www.genomeweb.com/blog/dna-mugshots>. Accessed 27 Aug 2015.
- Reardon, Sara. 2014. Mugshots Built from DNA Data. *Nature*. March 20, 2014. <http://www.nature.com/news/mugshots-built-from-dna-data-1.14899>.

## Forensic Narration

In this book, I set out to describe and analyse a particular narrative mode that has appeared within a memory culture increasingly informed by forensic practices. This narrative mode distances itself from testimony and trauma writing in the way it engages with history. But what characterizes this mode? In previous chapters, I have argued that it is characterized first, by a reframing of testimony as a kind of evidence or resource within the narrative, and second, by a staging of evidence, which foregrounds the process of interpretation and evaluation. In this chapter, I engage directly with forensic literature as a narrative mode in relation to cultural memory. That is, I analyse what characterizes this particular memory mode, understood in Astrid Erll's terms as a mode of writing that elicits a particular mode of cultural remembering in the audience (Erll 2008). What mode of remembrance is evoked by forensic literature?

In her analysis, Erll distinguishes between the experiential, the mythical, the antagonistic, and the reflexive modes in novels about World War I (Erll 2008, 390). The "forensic" mode has much in common with Erll's reflexive mode, which according to Erll is "constituted by forms which draw attention to processes and problems of remembering" (ibid.). Forensic works are concerned with the processes and problems of engaging with the past and thus draw attention to the problems of interpretation and evaluation of evidence and historical events. They do this both in the way they engage with evidence and in the way they draw attention to their own investigative work and its limits and ambiguities. We can, however, be more specific. Using the term "forensic"

to describe these works highlights how they elicit a reflexive mode of remembering. But it also stresses that they are engaged in addressing and making claims to a *forum*. The mode of remembering evoked in the reader is, therefore, also one of contestation and critical evaluation of claims made by the narrative in question. Consequently, the forensic mode also has something in common with Erl's antagonistic mode where "only the memories of a certain group are presented as true, while the versions articulated by members of conflicting memory cultures are deconstructed as false" (Erl 2008, 391). Forensic works invite reflection on the processes of remembering, and they take a critical or even a political stance in relation to the events they explore.

However, instead of adding antagonism to a characterization of the forensic mode, I find it more accurate to describe it in terms of Chantal Mouffe's concept of "agonism." Mouffe works from the (relational) premise that the creation of an identity always implies the establishment of difference. Thus the establishment of collective identities similarly depend on the opposition between an "us" and a "them" (Mouffe 2012, 630). The relationship between these collective identities may take the form of a relation of enmity, that is, it may become an antagonistic relationship "in which there is no shared symbolic terrain and in which the sides aim at eliminating their opponent" (Mouffe 2012, 632–633).<sup>1</sup> In an *agonistic* relationship between political opponents, however, "the adversaries share a common symbolic space and they recognize, at least to some degree, the legitimacy of the claims of the opponents" (Mouffe 2012, 633). Thus the agonistic relationship is different from an antagonistic one in that "[a] sort of 'conflictual consensus' exists between various groups. They agree about the ethical principles which should inform their political association, but they disagree about their interpretation" (ibid.). In "An agonistic approach to the future of Europe" Mouffe argues for an "agonistic Europe" which would acknowledge the multiplicity and diversity of collective identities (Mouffe 2012, 634).

The point in the forensic work is not to eliminate or discredit the opponent or the opponent's point of view (as in the antagonistic mode) but to enter into political conflict nonetheless. The forensic work is *agonistic* in the sense that these works do position themselves politically in relation to the historical material but assume a shared ethical foundation of the interpretational space of the forum. Thus, in the sense proposed by Bull and Hansen, forensic works promote "a mode of remembering, which is both reflexive and dialogic, but does not shy



away from addressing politicized representations of past conflicts” (Bull and Hansen 2015, 400). While testimony in literature tends to belong to what Bull and Hansen call the cosmopolitan mode, in that it emphasizes the victim’s perspective, evokes compassion, and transcends the specific historical contexts (see Bull and Hansen’s Fig. 1), the agonistic work tends to engage with perspectives from various sides in the conflicts at stake, evoke critical reflection, and deal with the historical events in detailed specificity. The forensic mode thus largely corresponds to Bull and Hansen’s definition of the agonistic mode and could, I think, belong within this broader category.

“So what would characterize an ‘agonistic’ mode of remembering?” Bull and Hansen ask.

In our view, it would present the following features: (1) avoid pitting ‘good’ against ‘evil’ through acknowledging the human capacity for evil in specific historical circumstances and in the context of socio-political struggles; (2) remember the past by relying on the testimonies of both perpetrators and victims, as well as witnesses, bystanders, spies and traitors. The perspectives of the former perpetrators can provide crucial elements for understanding when, how and why people turn into perpetrators; (3) recognize the important role played by emotions and promote empathy with the victims as a first step towards remembering the past in ways that facilitate and promote critical understanding and also acknowledge civic and political passions; and (4) reconstruct the historical context, socio-political struggles and individual/collective narratives which led to mass crimes being committed. (Bull and Hansen 2015, 399)

The forensic works that I discuss in this book largely live up to these criteria. It is important to note, however, that Bull and Hansen discuss memory discourses more broadly and not just within literature. Also the forensic mode is defined much more narrowly, and is for instance characterized by the fact that it presents evidence to a forum of readers. While the way evidence is presented may highlight the processes and conflicts at stake in the evaluation of the past (thus adding to the reflexive character of the work), it is also involved in the making of particular claims that the reader is invited to evaluate and contest. Forensic works invite the reader to be part of the assembly around the evidence and engage in the evaluation and contestation of it as part of the forum.

Implied here is a distinction between ethics and politics connected to the criticism of testimony discussed in Chap. 2. Testimony is considered

particularly “ethical” because it is concerned with giving a voice to victims regardless of status and of the juridical potential of specific testimonies. The criticism directed at testimony (and at our contemporary enthusiasm for memorialization and memory work in all its forms) is concerned with the fact that an over-emphasis on recognition and memorialization neglects any current necessity for political change. The South African TRC is one example. Cathy Caruth also suggests that the broken language of trauma is particularly suited to trans-cultural solidarity—a point much critiqued by, for instance, Alan Gibbs, Stef Craps, and Berber Bevernage because it privileges a Western aesthetic, is abstract and universalizing, and neglects cultural and historical particularities. Testimony was political when it changed what could be said in the public sphere—with the Eichmann trial—and in the following boom in narratives of oppression. But when it was commercialized and became automatically and abstractly ethical it lost some of its political impact (Rothe 2011). Forensic works do not invite us to think of ethics and politics in opposition to one another but rather *reclaim* the political value of testimony when framing it as *evidence*, as one of the things around which we assemble and debate law, rights, politics, or aesthetics. Thus, while testimony has been criticized for being an ethical statement, primarily valued for the fact of its delivery in the face of oppression or violence, it serves other functions as well. Forensic narratives are not inherently more politically relevant than testimony (I think that few of us would consider Rosenberg or Mendelsohn to be of greater political importance than Primo Levi) but react to a certain state of affairs where another mode of writing may be effective and have greater resonance.

In this chapter, I scrutinize Javier Cercas’ *Anatomy of a Moment* and Joseph O’Neill’s *Blood-Dark Track* and consider how the authors use particular narrative strategies to present evidence, make claims about the past and its function in the present, and invite the participation of the reader in the forensic debate. These strategies include: (1) the involvement of the real-world author in the narrative itself (which emphasizes the narrative as an instance of serious communication addressed to readers as potential political actors); (2) the explicit presentation and evaluation of evidence (which invites the reader to engage in this evaluation); and (3) the representation of the investigation process (which foregrounds the narrator as a function of the text, inviting a critical reflection on his role in it).

Both *The Anatomy of a Moment* and *Blood-Dark Track* explore specific political structures and historical developments critically and concretely. As such, they engage in critical evaluations of their source material and consider specific juridical and moral issues arising from the historical events they explore. The two books are investigations into national and family history respectively, and their approaches to the historical material are very different. Cercas carefully investigates the protagonists of the attempted February 23 *coup d'état* in Spain, describing and analysing the coup in minutest detail, dissecting, if you will, its complex anatomy. Cercas is not particularly interested in passing judgment on either the Francoists or the Republicans (though his own political stance is evident). Instead, the author seeks to pass judgment on those who, in the particular historical context of the transition, posed a threat to democracy. Cercas also wants to redeem or at least re-evaluate the actions of those who defended it regardless of their political record of accomplishment. From the level of national history, Cercas finally approaches his own family history and reconciles himself with his father and his father's generation. In his valuation of democracy as the universal "good" Cercas could be considered as representing the cosmopolitan mode of remembering in Bull and Hansen's terminology. Yet I argue in the following that the book's focus on specific historical circumstances and its critical intentionality push it towards the agonistic mode. The book polemically addresses a specific forum of readers and takes part in a heated and still ongoing debate. Thus, the analysis again aims to demarcate the boundaries and tease out the characteristics of the forensic mode. I analyse *The Anatomy of a Moment*, focusing particularly on the narrative framing of the book in order to discuss (1) how Cercas presents his claims and addresses the forum, and how his representative strategy differs from that of historiographic metafiction in its urgent concern with the truth about the past, and (2) how Cercas stages his evidence (testimonies as well as visual evidence) trying to factor an image of history, a *vera icon*, into a texture of images and information that allows for a reconsideration of what the past means.

O'Neill starts from the intimate sphere of family history and generational conflict (where Cercas ends up) as he investigates the histories of his grandfathers, Jim O'Neill and Joseph Dakad, and addresses issues of national and world history through their experiences. While Jim O'Neill

and Joseph Dakad have extremely different cultural, political, and social backgrounds, they are connected by the fact that during World War II they were both imprisoned for several years by the British, one in Ireland, the other in Palestine. O'Neill's book accordingly explores two peripheral corners of World War II history which have largely been overshadowed by the focus on the German aggressive war and the Holocaust in public consciousness. In the end, though, O'Neill's project is less concerned with passing judgment on his grandfathers (although he is a lawyer)—or with redeeming them—than with understanding how specific social and political contexts and the particular blind spots and viewpoints connected to them may explain actions that we judge unfavourably in hindsight. At the end of the book, the emphasis shifts from the crimes O'Neill's grandfathers may or may not have committed and from World War II to the issue of sectarian violence in relation to the Armenian genocide and the April Massacre of Irish Protestants in 1922, a comparison that casts a troubling light on Irish nationalism. I discuss (1) the role of the narrator as investigator, and the involvement of the author, and (2) related questions regarding the function of *genre* in the book.

While in the previous chapters I have been focusing on the resources, histories, and concerns of the forensic mode, in this chapter I aim to pin down what sets this mode of writing apart. I suggest that the forensic mode, characterized as it is by the presentation of evidence for interpretation and evaluation, and by the presence of the author as the explicit origin of the claims made by the book, elicits a reflexive-agonistic mode of cultural remembering that is concerned with claim-making and contestation.

## MAKING CLAIMS

The forum, Eyal Weizman argues, consists of three interconnected elements: a contested *object or site* (1), an *interpreter* (2) who can interpret what the objects "says" and present it to *the assembly of the forum* (3). The *literary* forum is, then, both the evidence that is presented, the author who interprets, mediates, and presents the evidence through various narrative strategies—including the voices of narrators and characters— and the assembly of the forum, which involves the readers and critics to whom the evidence is presented. Thus, the literary forum encompasses the entire communicative act from real-world author to real-world reader and the acts of presentation and interpretation that take place in between.

In Cercas' *The Anatomy of a Moment*, the contested *object* is the evidence of the coup. I return to the way the evidence is presented in Cercas' book below. The *interpreter* is, in this case, the narrator who has achieved a certain expertise and uses it to present and interpret the evidence and make it speak to the reader in specific ways. Cercas' narrator seems to be identical to the author—although we cannot be sure how far that identification can be trusted. He presents the evidence to the reader, unmistakably providing his own interpretation together with a political claim based on this interpretation, which is given weight as the real author presents himself as its origin. The reader comes to rely on Cercas as the “expert witness” whose interpretations and informed guesswork we can rely on. Yet the book is ambiguously framed as taking place somewhere between non-fictional analysis of historical events and fictional representation, and it continuously reminds us of the difficulties at stake in interpreting complex historical events. This is emphasized by the narrator's use of long, complicated sentences, constant qualifications, and re-interpretations that make the author-narrator frustratingly present, even when he is entirely withdrawn from the level of exegesis.

Finally, the forum consists of the *assembly of the forum*: the readers, the critics, and the public into which the evidence and the interpretation is presented for evaluation and judgment. The forum of readers asked to pass judgment on the claims made by Cercas in the book is established by the book's performative act of communication. The forum is appealed to by the confessional mode of the book's prologue and epilogue, Cercas' political indignation, and his analytical meticulousness. It is also appealed to aesthetically as the interpretation of the available evidence is shaped and presented in handsome patterns. The assembly or forum here is primarily a Spanish public that is critical of the peaceful transition from dictatorship to democracy through amnesty and silence, and promotes an active confrontation with the past.<sup>2</sup> *The Anatomy of a Moment* makes three controversial claims: (1) that the transition was largely a success; (2) that the broader Spanish public at the time (including the political left) had some responsibility for the political environment that could sustain the idea of a coup; and (3) that the contemporary political left risks losing its claim on the transition entirely through its continued criticism. I discuss below how Cercas frames and presents these claims.

Cercas delivers his analysis in the careful prose of non-fictional history writing, yet with a great sensibility for the aesthetic potential of

the material in question. This material consists of interviews, documents, and recorded images, oral and written testimony as well as other kinds of archival material. Specifically, Cercas takes as his starting point the recorded images of the storming of the Cortes, which was filmed live and shown (in a shorter version) on TV the following day. In the recording, we see that the retiring prime minister Adolfo Suárez does not obey the military as they fire their guns and tell everybody to get down. He remains seated, an ex-Francoist becoming at that moment a lonely defender of democracy. This gesture by Adolfo Suárez, leaning back against the Prime Minister's bench, alone while the bullets whiz around him, is the image that fascinates the author and motivates him to write the book, paying careful attention to the details, connections, and tensions in the political environment surrounding Suárez at the time. The book also goes into the planning and execution of the coup, navigating the troubled waters of intentions and coincidences, which tend to form unexpected patterns of "coherence and symmetry and geometry" (14). Cercas engages with the evidential material focusing on the reasons for the coup and for its eventual failure. He explores various versions and interpretations of events, subjects them to careful scrutiny and often acknowledges their plausibility and value even when finally discarding them. Sometimes he allows two versions to stand through several chapters, only slowly closing in on one of them (see for instance 253–254), and he continuously allows several interpretations of reasons, alliances, and motives to coexist as they may all in their own way prove valid. The highly nuanced analysis is presented in complicated sentences, demanding an investment of time and energy on the reader's part, as it refuses to be read as easy entertainment. Yet, the fracturing of the Suárez image into symmetries and patterns shapes the heavy analysis into something that is, in the end, elegant and persuasive.

The first part of Cercas' book describes the political culture, the atmosphere and manoeuvrings in "*el pequeño Madrid del poder*." This political environment (metaphorically termed the "placenta of the coup") nurtures and sustains the idea that a "surgical coup" or "touch on the rudder" ("*golpe de bisturí*" or "*golpe de timón*") to remove the prime minister from power could put the country back on track. Giving this topic primacy structurally emphasizes its importance over the actions and intentions of the *golpistas* themselves. Cercas thus—controversially—reveals, as Alison Ribeiro de Menezes also argues, "a dimension of the coup that is little commented on: the extent to which political and

popular dissatisfaction with Suárez's administration created the necessary space for antidemocratic heaves" (Menezes 2014, 23). While the *golpistas* are the natural villains of Cercas' narrative, he insists on emphasizing the implication of the broader political society, the political culture in which the coup could be hatched and nurtured."That was the popular response to the coup," he writes, "none. I'm very much afraid that, as well as not being a splendid response, it was not a decent response" (182).

The second part of the book is primarily concerned with the actions and motivations of former Francoist General Gutiérrez Mellado ("A Golpista Confronts the Coup"), and the third section deals with the Communist leader Santiago Carrillo ("A Revolutionary Confronts the Coup"). Besides Suárez, the Communist Party leader Santiago Carrillo also remains seated and General Gutiérrez Mellado, a former nationalist and supporter of the 1936 coup, even challenges the coup leaders to stand down. Suárez, Mellado, and Carrillo are Cercas' "three musketeers," three "heroes of retreat" who all betray their original convictions, dissemble Francoism, and become the unlikely defenders of democracy on February 23. The book is shaped around these three figures and their gestures of resistance during the coup, exploring the surprising symmetry of their relationships to one another and the even more surprising symmetries created around them and the three main *golpistas* General Alfonso Armada, Captain General Jaime Milans del Bosch, and Lieutenant Colonel Antonio Tejero:

The 23 February coup was an extraordinary coup because it was a single coup and three different coups in one: before 23 February Armada, Milans and Tejero believed their coup was the same one, and this belief allowed the coup to happen; during the course of 23 February Armada, Milans and Tejero discovered that their coup was in reality three different coups, and this discovery provoked the failure of the coup. That's what happened, at least from the political point of view; from the personal point of view what happened was even more extraordinary: Armada, Milans and Tejero staged in a single coup three different coups against three different men or against what three different men personified for them, and those three men – Suárez, Gutiérrez Mellado and Carrillo: the three men who'd carried the weight of the transition, the three men who had most to lose if democracy were destroyed – were precisely the only three politicians present in the Cortes who showed themselves willing to risk their necks by facing the *golpistas*. This triple symmetry also forms a strange figure, maybe the strangest figure of all the strange figures of 23 February, the most perfect. (235)

The *golpistas* are discussed specifically in the fourth part of the book, which describes different plans for a *coup d'état* that circulated, confronted, and intersected with one another in the period before February 23, and which in the end formed both the coup and its failure ("All the Coups of the Coup"). However, Adolfo Suárez, his character and his development as a politician is the book's main concern and thematic centre. This is the specific focus of the fifth part of the book, which summarizes the portrait of Suárez laid out in the earlier chapters and explores a parallel between Suárez' gesture and that of the character Emmanuele Bardone in Roberto Rossellini's film *Il generale della Rovere* (1959), a morally shady character who turned into an anti-fascist hero by impersonating one.

Each of the five segments of the book is introduced by a poetic description of the recorded images of the coup, as they are viewed by the narrator. Through all of these parts runs a—more or less—chronological description of the coup as well as a continued argument where the involvement of each of the protagonists and groups is considered and evaluated in turn.

The prologue and epilogue differ significantly from the rest and I will discuss the way they frame Cercas' book in some detail here. In these parts of the work, Cercas discusses his motivations and reservations about writing the book in relation to his own biography. In the prologue, called "Epilogue to a Novel" (the epilogue is called "Prologue to a Novel") Cercas argues that the book is "more than anything else [...] the humble testimony of a failure: incapable of inventing what I know about 23 February, illuminating its reality with fiction, I have resigned myself to telling it" (14). He suggests that he initially set out to write a novel about February 23, but realized along the way that

for once reality mattered to me more than fiction or mattered to me too much to want to reinvent it by substituting it with an alternative reality, because none of what I could imagine about February 23 concerned me and exited me as much or could be as complex and persuasive as the pure reality of 23 February. (13)

Yet, he ambiguously suggests, the book will not "entirely renounce being read as a novel" (15). This classification of the book is reflected throughout. The narrative's sober and precise tone reflects how "liberties of fiction" are avoided. However, it *does* at times read almost like a novel.



This is partly because, being a writer of fiction, Cercas keeps the reader in a state of ambiguity from the outset. It is also partly because each part of the book is elegantly introduced by a highly poetic description of the filmed recording of the coup, in which the narrator's act of viewing is emphasized through his freezing and unfreezing of the film.

Even the analytical sections that form the main body of the book highlight the shifting patterns and unlikely symmetries, narrating the inherent dramas and complex shapes of the historical events. "History fabricates strange figures," Cercas repeatedly notes; it "frequently resigns itself to sentimentalism and does not disdain the symmetries of fiction, as if it wanted to endow itself with meaning that on its own it did not possess" (160). On page 183 the phrase is repeated with added emphasis: "It's true: history fabricates strange figures and does not reject the symmetries of fiction, just as if with that formal design it were seeking to endow itself with a significance it did not possess on its own" (183). Thus, the book does sometimes read like "an incredibly strange experimental version of *The Three Musketeers*" (15), as Cercas himself puts it. Cercas suggests, then, that it is in fact reality that is novelistic in character, and that his book is simply a history book concerned with that reality. "I understood," he writes, "that the events of 23 February on their own possessed all the dramatic force and symbolic power we demand of literature" (13).<sup>3</sup> His book, Cercas claims, is not a work of fiction. He is concerned with real and controversial historical events and he approaches them with analytical meticulousness in a style that is, according to Ulrich Winther, "that of the omniscient historiographer" (Winther 2012, 27). The book also includes "a minimal bibliography" and "a few notes" marking it through paratextual features as a work of nonfiction.

Nonetheless, I would argue that Cercas' work is in fact, as Ulrik Winther also suggests, the opposite of what it sets out to be: "a literary text about a historical reality" (Winther 2012, 27). In spite of Cercas' claims, it is the *literary* strategies of the book that distil patterns and symmetries from historical reality, rather than reality itself that is somehow fictitious or "novelistic." I suggest that Cercas uses literary strategies of representation (including his ambiguous framing) not simply to understand the reality of past events but also to present his claims to the forum. The image of Suárez as the pure politician and the defender of democracy is the more potent because of Cercas' claim that fiction can add nothing to it. The ambiguous framing of the story and the titles of

the prologue and the epilogue that refer to Cercas' unwritten or unfinished novel, the missing half of a circular structure, invites readers to acknowledge a fictional story that cannot—or so it is argued—compete with the potency and power of reality itself. Through a non-existent fictional mirror image, the claims Cercas makes about history assert themselves even more.

The book's performative ambiguity in relation to historical reality and the possibility of representation may seem to suggest that it belongs to a postmodern tradition of historiographic metafiction. I would suggest, however, that the book's serious engagement with the source material and the fact that it insists on presenting genuine claims to a forum point to another interpretation. *The Anatomy of a Moment* exhibits a tendency, described by Hans Lauge Hansen in his article "Multiperspectivism in Novels of the Spanish Civil War," to write what Tzvetan Todorov calls "restorative narratives" about the Spanish Civil War. It does so because Cercas questions any mechanical evaluation of modern Spain's history (which tends to distinguish clearly between good and bad, left and right). He instead investigates the nuances, symmetries, and connections that made up the complicated political situation in Spain after Francoism and presents perspectives, interpretations, and motivations from both sides of the conflict. Thus Cercas is an example of a new tendency in Spanish literature which, Hansen maintains, "has not only lost the fear of a political backlash, it has also left political radicalism behind, which opens history up to new investigations" (Hansen 2011, 151). Such works provide, Hansen continues, "a predominant multiperspectival point of view that allows for a more varied comprehension of the social and political issues in question" (ibid.). Similarly, Alison Ribeiro de Menezes argues that the contemporary narratives that she explores "do not propose an unquestioning view of the heroic, concentrating rather on the ambiguities and difficulties of retrospective historical interpretation and highlighting divergent perspectives on the past" (Menezes 2014, 20–21). Among these is *The Anatomy of a Moment*.

In his article, Hansen discusses *Soldiers of Salamina*, an earlier book by Cercas. He argues that Cercas in this case delivers a trendsetting example of the nuanced portrayal of "the other side" (i.e. the Nationalist side) in recent Spanish literature. This interest in the other side is also present in *The Anatomy of a Moment*, which is first and foremost an analysis of the character and the actions of Adolfo Suárez, Spain's first prime minister after the end of Francoism. The books also have their

ambiguous framing in common: they both carefully explore the border between history and fiction. In *Soldiers of Salamina*, Hansen argues, “[t]he narrator does not set out to write a novel; his ambition is to write the allegedly ‘true story’” (Hansen 2011, 152). However, the narrator (named Javier Cercas) is also an important protagonist of the story and is, as Hansen shows, increasingly (if subtly) disconnected from the implied author through subtle uses of irony as the story progresses. While Cercas’ investment of his own name and identity in the narrative suggests an important link to the external reality, the increasing distance between the narrator and the implied author also suggests that this reality is ultimately unavailable. In *The Anatomy of a Moment*, Cercas takes one step further away from fiction by distancing the narrator from the story’s plot and stressing the historical source material rather than the narrator’s process of enlightenment.

In his article “Images of Time: Paradigms of Memory and the Collapse of the Novel of Contemporary History in Spain (2000–2010),” Ulrich Winther also discusses contemporary developments in Spanish literature. Winther frames these developments in relation to the genre of historiographic metafiction prevalent in the 1980s and 1990s:

If in the 1980s and 1990s historical memory was primarily an act of representation - or of consciousness-raising in the sense of the political “recuperación de la memoria” (recuperation of memory) - in the 2000s it is increasingly seen as *an act* that *creates* realities. (Winther 2012, 16, my emphasis)

While *Soldiers of Salamina* is part of this tendency, I would contend that it is still written largely as a work of historiographic metafiction. As Hansen declares, what is central to the narrative is not primarily the facts that can be established through the investigation: the *identity* of the Republican soldier who does not shoot the Falangist Rafael Sánchez Mazas is less important than his *action*, than the fact that he does not shoot. In the end, his very anonymity democratizes his action, making the point of the narrative an *ethical* rather than a political one:

[B]ecause of this almost collective character of his new hero, it does not really matter whether the man who did not denounce Sánchez Mazas was Miralles or not; what matters is that the narrator’s own discourse, the literary discourse, is able to save this man’s deed and his story from oblivion [...] The replacement of the ideologically determined Sánchez Mazas as

the object of study by the anonymous militiaman Miralles implies that facts and certainty, so essential to the journalistic discourse of biography, have been replaced by indeterminacy and lack of certainty in the literary discourse that dominates the third part of the novel. (Hansen 2011, 154)

The ambiguous framing of *The Anatomy of a Moment* as nonfiction written as a substitute, alternative, or mirror image of a fictional story could suggest that Cercas has (again) written a postmodern novel in which reality is fundamentally unstable. I suggest that the opposite is true. In *The Anatomy of a Moment*, Cercas moves away from the tradition of historiographic metafiction and insists on engaging with a historical and political reality. This actuality may be hard to pin down, but current political developments make it important to investigate it. While the representation of the Republican side in *Soldiers of Salamina* was in itself controversial, here he sets out to put all the protagonists of the coup (including the Spanish public and the king) on a literary trial of sorts where each piece of information is important. Menezes also argues that Cercas “metaphorically puts on trial the various actors who participated in, or whose actions influenced the outcome of, the coup” (Menezes 2014, 23). In this way, the forensic mode sets itself apart from historiographic metafiction, which its critical engagement with the traces and narratives of the past otherwise resembles.

The epilogue does not continue the reflections about fiction and reality. Instead, Cercas returns to the present political environment, entering into direct dialogue with his contemporaries and with his father and his father’s generation. In the epilogue, Cercas makes his most direct and potentially most controversial claim. He notes that “for some time now the transition has not only been subject to debate, but also – sometimes implicitly and sometimes explicitly – the subject of political struggle” (378). This struggle is, Cercas suggests, the consequence of at least two factors:

The first is a generation of leftists coming to political, economic and intellectual power, my generation, who took no active part in the change from dictatorship to democracy and who consider this change to have been done badly [...], the second is the renewal in the intellectual centres of an old far-left discourse that argues that the transition was the consequence of a fraud negotiated between Francoists wanting to stay in power at any cost. Led by Adolfo Suarez, and supine leftists led by Santiago Carrillo. (378)

Here Cercas addresses a particular forum, the contemporary political public and particularly the intellectual left of his own generation, arguing that the current criticism of the transition from the left risks “delivering the monopoly of the transition to the right” (379). “The inveterate vice,” he indignantly writes, “of a certain section of the left that continues to inconvenience democracy and certain intellectuals whose difficulty in emancipating themselves from abstraction and the absolute prevents them from connecting ideas to experience” (380). He clearly states,

I think it's a mistake. Although it didn't have the joy of an instantaneous collapse of a frightful regime, the rupture with Francoism was a genuine rupture. To achieve it the left made many concessions, but practising politics involves making concessions, because it involves giving way on the incidentals in order not to give way on the essentials; the left gave way on the incidentals, but the Francoists gave way on the essentials, because Francoism disappeared and they had to renounce the absolute power they'd held for almost half a century. It's true that justice was not entirely done, that the Republican legitimacy violated by Francoism was not restored, those responsible for the dictatorship did not face trial, its victims were not fully and immediately compensated, but it's also true that in exchange a democracy was constructed. (379)

This claim is made in the epilogue and presented as a consequence of the analyses that form the main body of the book. Thus, the overall aim of the book turns out to be one of reconciliation with the past, but a reconciliation which is deeply political. And while the book is clearly a tribute to democracy it is also urgently aware of the historical contexts of past and present.

### PRESENTING EVIDENCE

As I have suggested, Cercas makes three claims. First, he examines the legitimacy of the politicians' actions during the transition to democracy in Spain; second, he considers the role played by the Spanish public during the transition; and third, he assesses the value of current criticism of the transition by the Spanish intellectual left. These claims are made through a number of narrative strategies discussed above. They include the following:

- An analytical meticulousness in his presentation of the historical events.
- The framing of the book in relation to an unavailable (or non-existent) fictional narrative.
- The foregrounding of the aesthetic potential of history itself.

The claims are also made through the presentation of evidence. As I argued with Thomas Keenan in the previous chapter, evidence is exactly that which is presented to the forum. It is not self-evident but used to *make evident*, support claim-making, and promote conviction. Cercas approaches the presentation of evidence to support his claims in three ways:

- The narrative mediation of the coup's recording.
- Dismissal of the February 23 trial evidence through a distinction between *legal* truth and *real* truth.
- The use of testimony.

Of course, Cercas' book cannot include the filmed material from the coup but depends instead on detailed description and interpretation, which introduces each of the five main parts of the book. The narrator describes (in the present tense) how he freezes and unfreezes the image; he scrutinizes it and includes the reader in his observations. In his analysis, Cercas pays close attention to every available sound, gesture, and facial expression as he explores every political manoeuvre, motivation, and possible alliance behind the scenes, seeking constantly to explain that particular piece of visual evidence and principally the central gesture of the prime minister Adolfo Suárez. Mediated by the gaze of the narrator/viewer, the images appear profoundly different than when watched on screen. The invitation to join in with the narrator's gaze assembles readers around that piece of evidence and invites us to embrace the enigma. We are encouraged to see the gesture as an entry point into a complex history or to see a potency in the image that the blurry recording can hardly lay claim to on its own. "It suddenly struck me as a mesmerizing and radiant image," Cercas writes in the prologue,

meticulously complex, rich with meaning: perhaps because the truly enigmatic is not what no one has seen, but what we've all seen many times and which nevertheless refuses to divulge its significance, it suddenly struck me as an enigmatic image. (8)

This enigma is what he sets out to solve.

The ekphrasis of the film is written in italics and its tone is distinctly different from that of the rest of the book. While the other parts of the work (except to some extent the personal and reflexive text of the prologue and the epilogue) are sober and analytical, written in long complicated sentences, these parts are dramatic, engaging, and written with a poetic quality which, while they are precise and nuanced in their description of events, makes them read like fiction:

*The frozen image shows the deserted chamber of the Congress of Deputies. Or almost deserted: in the centre of the image, leaning slightly to the right, solitary, statuesque and spectral in a desolation of empty benches, Adolfo Suárez remains seated on his blue prime minister's bench. On his left General Gutiérrez Mellado stands in the central semicircle, his arms hanging down at his sides, his back to the camera, looking at the six Civil Guards who shoot off their guns in silence, as if he wanted to prevent them from entering the chamber or as if he were trying to protect the body of his Prime Minister with his own body. [...] In the lower part of the image, almost blending in with the blue of the government benches, the crouching backs of a few ministers can be distinguished: a thread of crustacean shells. The whole scene is wrapped in a scant, watery, unreal light, as if it were going on inside an aquarium or as if the chamber's only illumination came from the baroque cluster of spherical glass lampshades that hang from one wall, in the top right of the image; perhaps for this reason the whole scene also has a suggestion of a dance or a funeral family portrait and a hunger for meaning not satisfied by the elements that compose it or by the fiction of eternity that lends it its illusory stillness.*

*But if we unfreeze the image the stillness vanishes and reality regains its course. (85–86)*

As Jakob Lothe noted in connection with the film still of the woman who may or may not be Jacques Austerlitz' mother in Sebald's *Austerlitz*, the fact that an image is taken from a film enhances the temporal quality of the frozen image and hence also its inherent drama. This judgment also applies to the narrative mediation of Suárez' image. Knowing that a sequence of events has only briefly been paused in order to create the image in front of you provides a sense of expectation and suspense. This happens while drawing attention to the viewer, the process of viewing, the material engagement with the recording, and the careful examination of it that takes place in front of the screen. The stillness of the image (and of Suárez' gesture) is illusory, filled with potency

that is accented by being detached from its context. These passages accordingly serve to convey the image's enigmatic force to readers. They invite us to follow the dissection of that moment, as it is reframed within the wider historical context that is provided by the surrounding text.

The televised image of Suárez' gesture is present only on the cover of the book. But why not present it directly within the book? Well, according to Cercas, these images suffer from the fact that television "contaminates everything it touches with unreality." Apart from the historic magnitude of the event and the "still troubling areas of real or assumed shadows" (12), the contamination of television is, Cercas theorizes, what has drowned the reality of February 23 in speculation and myth. Such myths are evoked by the picture on the cover but are then fractured into multiple images when we open the book. This strategy creates a complicated constellation of stories that refuse to be reduced to simple categorizations and oppositions. It is a *Verfremdungseffekt* (a distancing or alienation effect) that might allow the images and the past to be re-evaluated by the Spanish public in order for new patterns to emerge in the eyes of readers as well.

The book includes one photograph that is *not* from the coup but which shows an uncannily similar situation. Stretching across the top of two pages (114–115) Suárez can be seen seated furthest to the right while the remaining 90% of the image shows an empty row of benches. The photo is placed near the beginning of this chapter, "A Golpista Confronts the Coup," which addresses the period of time between the two pieces of visual evidence: the photo from September 25, 1979, when Suárez was "at the height of his power," yet "privately finished as a politician," and the footage from February 23, 1981 when the coup took place. "The image was taken on 25 September 1979," Cercas writes, "but, if we ignore certain differences of colour and framing, it could be confused with that of 23 February 1981, as if, instead of photographing Suárez, the photographer had been photographing the future" (113). The chapter addresses the fact that, at the time of the coup, Suárez was politically all alone. This point is *illustrated* by the image, which cannot possibly serve as proof since it was taken much earlier. With a characteristic awareness of patterns, similarities, and symmetry, Cercas quite explicitly chooses *not* to provide any visual evidence of the coup itself within the book. He instead frames and highlights it through narrative and visual *similarity*. The photograph thus adds to the spectacular and



enigmatic staging of the moment that Cercas otherwise so carefully dissects—and to the rhetorical force of his argument.

Cercas uses narrative representation, similarity and meticulous dissection to, as Ulrich Winther has explained, recount or re-narrativize “something that apparently is already an image: history” (Winther 2012, 26). The image of February 23 is translated from image into narrative through the interpretive efforts of the narrator. The narrator consequently becomes visible as a viewer and interpreter who makes room for various voices, accounts, and possible interpretations within his text while voicing his own evaluations of them. The enigma of the image is related to these complex patterns, relations, and symmetries all seeming to come together in it. The image serves as an entry point from which these fields of relation can be explored.

A central body of evidence *missing* from Cercas’ source material is the evidence from the February 23 trial, which cannot be consulted until 25 years have passed since the death of the defendants or 50 years after the coup (385). In the first Chapter of the epilogue, Cercas deals specifically with the trial. He argues here that it was “an impossible trial: judges and defendants had shared military destinations and quarters, their wives were friends and shopped at the same stores, their children were friends and went to the same schools; some of the judges could have been in the defendants’ position and some of the defendants could have been in the judges’ position” (364). In relation to the defendants’ strategies, Cercas distinguishes between legal truth and reality. While General Armada and a few others tried to defend themselves by dissociating themselves from the coup, a larger group attempted to argue that they had only followed the orders given to them by Armada. And Armada, they claimed, said he had his orders from the king, who was, according to this argument trying to save the country from a corrupt political regime:

Legally this line of defence was apparently logical: [...] in reality it was a contradictory and ludicrous line of defence: contradictory because the due-obedience grounds for acquittal negated the state-of-necessity grounds for acquittal, given that if the *golpistas* considered a *golpe de estado* necessary or indispensable it was because they knew the situation the country was in and could therefore not have been acting ingeniously and blindly on the orders of the King; ludicrous because it was ludicrous to pretend that the judicial concept of due obedience should cover outrages like the assault on the Parliament. (365)

There is a clear distinction between what might make sense legally and what really happened. Like Rosenberg, Cercas dwells on the fact that so few of the *golpistas* were actually tried, that the sentences were extremely indulgent (“practically an invitation to repeat the coup,” 366) and that many remained in the army and were even decorated later on.

In relation to the possible participation of the intelligence services (CESID) in plotting the coup, Cercas notes that only two members of CESID were charged and only one was found guilty. The “legal truth” is, he states, that CESID as an institution did not take part in the coup, and only one of its members did—on his own initiative. “Is the legal truth the actual truth?” (65). Although it does not specifically answer this question, the book as a whole answers in the negative. No, the legal truth constitutes one single chronological version of events (based on evidence to which the narrator only has limited access), which is presented in the book as inadequate both in terms of providing a judicial response to the crime and in terms of grasping the complexity of the event.

In his essay “Domstalen som Genre: Tilfellet Birgitte Tengs og Litteraturkritikken,” Arild Linneberg argues that in the theatre of the court there are many actors and many voices. Yet, when a verdict is reached the many narratives have to be reduced to one. The problem of the verdict is, as Linneberg submits, that an unequivocal product has to come out of a complicated procedure (Linneberg 2001, 157). He argues that we need to listen to the multiplicity of voices and narratives of the courtroom and that these must echo in the final verdict in order to fully allow the complexity of the crime to be mirrored there (Linneberg 2001, 164 and 170–171). The forensic works implicitly or explicitly perform various “literary trials,” in which they insist on giving either an open-ended verdict or one in which various voices and narratives are allowed to stand.

*The Anatomy of a Moment* is not restricted to presenting the single narrative of the verdict from the trial. But neither does Cercas simply attempt to supplant the “legal truth” of the February 23 trial with another. Instead of providing an alternative (single, chronological) narrative of the February 23 coup, Cercas weaves a dense fabric of events, actions, intentions, and connections. It is a texture of truth (or truthfulness) in which several narrative threads exist side by side and are woven into one another. For instance, in answer to General Gutiérrez Mellado’s question to Adolfo Suárez “apart from the King, you and me, is there

anyone else on our side?” Cercas initially answers “no” (113). He goes on to qualify this statement: “Or that is at least the self-pitying answer that Adolfo Suárez undoubtedly gave to himself at that moment and the self-vindicating answer he was still giving years later. [...] But, even if it was self-pitying and self-vindicating, the answer was not false” (*ibid.*). This political solitude is the topic of this chapter (“A Golpista Confronts the Coup”). Opening Chap. 5, however, the answer is again qualified and even contradicted:

The final blow was landed by the King. [...] he took his power, or at least spared no effort in getting Suárez to hand it back. This means that, like the majority of the Spanish political class, in the autumn and winter of 1980 the King was also in his way plotting against the Prime Minister of his government; this means that Gutiérrez Mellado was mistaken: the King wasn’t on their side either. (119)

These adjustments and corrections of earlier statements abound.

Cercas does attempt to provide a truthful version of events but the truth he provides comes across as layered and complex, almost tactile in its density. In consequence, the images from the Cortes are, like Weizman’s buildings, “frieze shots in processes of constant formal transformation [...] diagrams of the social fact itself and of the forces and complex flows that are constantly folded into their form” (Weizman 2011, 111). Hence, the plot of the coup is presented as

an almost seamless fabric of private conversations, confidences and understandings that I can often only try to reconstruct from indirect testimonies, stretching the limits of the possible until they touch the probable and with the pattern of the plausible trying to outline the shape of the truth. Naturally, I cannot guarantee that everything I am about to tell is true; but I can guarantee that it is concocted with truth and especially that it is the closest I can get to the truth, or to imagining it. (239)

The metaphors running through this description of his project reveal an understanding of truth as material, tactile, textured, mouldable, or concocted rather than chronological, linear, and teleological. The political tensions are repeatedly discussed in medical, bodily, or material terms: “All these materials went into the making of the coup,” Cercas writes, “the political manoeuvring against Adolfo Suárez was the organic matter

of the coup; all these materials went into the making of the placenta of the coup" (63). Cercas' own narrative tries to dissolve a simple image of the past by representing history as an organic concoction and by recognizing the difficulty of interpretation and evaluation of evidence.

Within his paper trial, Cercas also relies on testimony. He consults the available statements from the trial. He conducts his own interviews, using extensive source material in which the various actors comment on their experiences, actions, and memories in relation to the coup (385). Cercas is carefully critical of testimonies as source material, though, and is aware of the motivations and biases that shape them. In *The Anatomy of a Moment*, testimonies are primarily a source of information that must be subjected to careful scrutiny, and evaluated in relation to other evidence and to the personalities, experiences, and motivations of the witnesses and protagonists. Testimonies have a clear epistemic function, and the intimate or confessional appeal of the testimonial mode is only present in Cercas' own reflections (in the final part of the epilogue) on his motivations and personal relationship to Suárez and the history of the transition in relation to (the death of) his father. Here Cercas addresses his personal relationship to the story of Adolfo Suárez and connects Suárez' situation and character to those of his father. Thus, on its final pages the book turns into a story of generational conflict and reconciliation, as Cercas approaches a slow understanding of his father's politics in the post-Franco years:

Later, in the final months of his illness, when he'd wasted away and could barely move or speak, I went on telling him about this book. [...] But one evening I asked him why he and my mother had trusted Suárez and he suddenly seemed to wake out of his lethargy, trying in vain to lean back in his armchair he looked at me with wild eyes and moved his skeletal hands nervously, almost furiously, as if that fit of anger was going to put him for a moment back in charge of the family or send me back to adolescence, or as if we'd spent our whole lives embroiled in a meaningless argument and finally the occasion had arrived to settle it. 'Because he was like us,' he said with what little voice he had left. I was about to ask him what he meant by that when he added: 'He was from a small town, he'd been in the Falange, he'd been in Acción Católica, he wasn't going to do anything bad, you understand, don't you?'

I understood. I think this time I finally understood. [...] I couldn't help but wonder if I'd started to write this book not to try to understand

Adolfo Suárez or Adolfo Suárez' gesture but to try to understand my father. (383)

One could ask whether the turn towards the intimacy of familial reconciliation dramatically changes the overall argument of the book. The claims made by the book have up to this point been supported by the analysis of the historical material but here it is suggested that the motivation for the project is personal rather than political or historical, and is connected to an individual need for intergenerational reconciliation. The turn towards the intimate sphere of intergenerational family history does not, however, serve to place Cercas in a relation of postmemory to the past or to provide him with legitimacy as a guardian of the legacy of Spanish history. The shift towards Cercas' personal history is used to tentatively suggest that while Cercas and his generation may have inherited a traumatic residue from Francoism they have also inherited a peaceful, democratic Spain, which might not have been the case if the young democratic government "had decided to bring justice to all, though the world perish." (379) The universalist implication of the exclamation by the father "because he was like us" does draw the book back towards the cosmopolitan mode, though, and *The Anatomy of a Moment* does hover between Bull and Hansen's cosmopolitan and agonistic modes.

Cercas claims that there is no benefit to be gained from a memorial transition to counter the pact of silence that was central to the political transition of the 1970s. Even so, his book and the invocation of his own generational conflict with his father supports a re-evaluation of the fall of Francoism, of the transition, which has been turned into image. Rather than excavating a traumatic violent *past*, which has been repressed through a politics of silence, making an ethical claim on behalf of the victims, Cercas dissects the historical context of the pact of silence, making a political claim concerning *contemporary* reconciliation with that part of the Spanish past.

Forensics has to some extent inherited the ethical over-determination of testimony—now scaffolded by the authority of science. This is particularly the case in Spain, where renewed public and political interest in the memory of the Civil War and the Franco dictatorship has been spearheaded by exhumation organizations that have initiated excavations of mass graves. In Spain, as Bevernage and Colaert have argued, the exhumations have become metaphors for the confrontation with repressed trauma, leading therapeutically to "closure" and reburial. It is not

surprising that the only scholarship that today really engages with forensics and memory culture has done so in relation to the situation in Spain. Here the two are linked in public discourse by the notion of repressed or buried memories that can be excavated and confronted. The exhumation group *Asociación para la Recuperación de la Memoria Histórica* (ARMH), according to Bevernage and Colaert, “often present mass graves in pathological terms as sites of traumatic memory” (Bevernage and Colaert 2014, 441). The structure of time implicitly suggested here (from trauma to therapy to eventual closure) is naturalized, they argue, as natural and appropriate for dealing with the past by groups like the ARMH as well as by academics, journalists, and artists. This structure thus conceals the role played by active memory agents. One example is Francesc Torres’ seminal exhibition and related volume *Dark is the Room where we Sleep*. According to Alison Ribeiro de Menezes,

Torres’s photo narrative has a teleological structure, in which the exhumation provides catharsis not only for the relatives of the victims, but also implicitly for Spain itself. The story that he tells is a linear one: the identification of the grave, its opening, the removal of the remains, their scientific identification, and their reburial in a shared grave in the village cemetery. During this process, younger generations literally reconnect with historical victims in an unearthing of a silenced and forgotten past, and the volume ends with a series of colour photographs, reminiscent of the final scenes of Steven Spielberg’s *Schindler’s List*, that imply ‘closure’ has been achieved for the relatives, villagers, and even the professionals involved in the excavation. (Menezes 2014, 41–42)

As the mass graves, exhumations, and reburials become psychopathological metaphors for trauma, remembrance, and closure, “it restrains us in fully understanding that the course of events could have taken different directions” (Bevernage and Colaert 2014, 446). As a result, in the Spanish case, there is a reframing of the legacy of testimony and trauma theory *within* a forensic framework.

Unexcavated graves are described in pathological terms as ‘open wounds’ that ‘scar’ the Spanish landscape [...]. The material permanence of mass graves serves well as a metaphor for the continuing presence of traumatic memory. Mass graves become a symbol for a past that is buried, but lurking under the surface, ‘sleeping’ and ‘waiting’. (Bevernage and Colaert 2014, 446)

Bevernage and Colaert offer ideas about the purpose of this alignment with the “internationally dominant transitional justice discourse” of organizations such as the ARMH that pathologizes violent history by discussing it in terms of repressed trauma to be healed by therapeutic remembrance. They say that the alignment may be politically valuable in the face of political opposition to the excavations, but also that it can have negative effects such as the pathologization of *other* forms of memory practices and (in line with the criticism levelled at the South African TRC) the risk of depoliticizing the past.<sup>4</sup>

In *The Anatomy of a Moment*, Cercas establishes a literary trial in which the excavated past is evaluated, not in order to confront a repressed trauma and achieve closure, but *presenting a different temporal structure of the transition*: one of reform, rather than of repression and latency. Thus, while the book may hover on the border between the cosmopolitan and the agonistic modes of remembering, it also reacts to a (potentially depoliticizing) legacy of testimony and trauma theory found in current Spanish forensic discourses.

#### NARRATOR, INVESTIGATOR, LAWYER

In his family history *Blood-Dark Track*, Joseph O'Neill investigates the lives of his grandfathers. His narrative takes as its starting point their respective mysterious imprisonments during World War II. O'Neill's maternal grandfather was a Syrian-born Christian named Joseph Dakad who lived in Mersin, Turkey. Dakad was imprisoned in Palestine by the British on suspicion of being an Axis spy, during what should have been a business trip. O'Neill's paternal grandfather, James O'Neill, a dedicated member of the IRA, was imprisoned in Ireland around the same time for his activities. Specifically, the narrator investigates Jim O'Neill's possible implication in the murder of the Anglo-Irish Protestant Admiral Somerville. The narrative unfolds as the stories of Jim O'Neill and Joseph Dakad are explored in intersecting chapters. The investigation takes the reader back and forth between *fields* of investigation (Weizman). These fields are carefully connected through a network of people that insistently bind the events together across space and time, through comparisons between characters, political issues, and moral dilemmas and through the surprising recurrence of characters in both storylines. For instance, Sir Patrick Coghill, a British counter-espionage agent in Turkey and an important source in the investigation of Joseph

Dakad's story, is also the cousin of the Anglo-Irish Admiral Somerville whose murder is central to the investigation of Jim O'Neill. The narrator is explicitly identified as the author Joseph O'Neill, whose name links the two subjects of his narrative and whose investigation, narrative style, and network of familial relations make for the glue that holds the narrative together.

O'Neill knows, he says, next to nothing about his grandfathers until he stumbles upon written evidence of their histories. As such, he has no immediate sympathy for them. "Dwelling in the jurisdiction of parental silence, my grandfathers remained mute and out of mind," (2) he writes. It is not just that his grandfathers' lives were largely unknown to him but also that he felt that they were more or less consciously kept silent. Nevertheless, this silence does not leave him with a "clean slate on which the evidence may impartially be inscribed," nor is it a traumatic silence connected to suffering and victimhood. Instead, it is shaped by a sense that "an element of the taut silences that enclosed Joseph and Jim—surrounded them almost completely, like seas around peninsulas—was that of condemnation" (12). "I sensed," he continues, "that Joseph and Jim were each in some way in the wrong" (*ibid.*). Joseph O'Neill is, however, as he himself states, by "professional training" equipped to set prejudice aside. He is a lawyer, and this, he intimates, gives him a particular approach to finding the truth:

What one learns pretty quickly, is that frequently the truth remains anybody's guess – even after all the documents have been scrutinized, all the witnesses have been grilled, and all the solicitors, juniors, silks and experts, racking up fees [...] have trained their searchlights into the factual darkness.

Sometimes, however, something is illuminated that is strange and unlooked-for and that, although perhaps not decisive of the hard-boiled question, twists the case and gives it a new meaning. This is, in a sense, what transpired after I began to look into the unknown lives of Joseph and Jim, following the narrow beam of their coincidental imprisonment. (13)

And that is what the book does. The evidence may pose more questions than it answers, and additional information may cause the image to shift (as was the case in Cercas' book). Furthermore, the question of guilt may remain unresolved, but the investigation and the comparison—or the presentation of evidence from two distinct fields of investigation



to the same forum—allows for new questions to arise and the issues to be illuminated from a different angle altogether. As Michael Rothberg describes it,

a certain bracketing of empirical history and an openness to the possibility of strange political bedfellows are necessary in order for the imaginative links between different histories and social groups to come into view [...]. Comparison, like memory, should be thought of as productive – as producing new objects and new lines of sight – and not simply as reproducing already given entities that either are or are not ‘like’ other already given entities. (Rothberg 2009, 19)

In the following analysis, I discuss the role of the narrator as investigator in forensic literature. I argue that narrators draw attention to themselves as investigators, mediators, and evaluators of evidence, thus enunciating the importance of human evaluation. I address the third hypothesis and argue that the forensic mode draws attention to the importance and complexities of the mediation process, the evaluation of evidence, and human values and subjectivities as central factors when past transgressions and conflicts are evaluated in the forum. While this reflexivity of the forensic mode may be a legacy from historiographic metafiction, the explicit presence of the author is used to tie the claims made by the text to the communication taking place between author and reader (Phelan). This accordingly invites not just a reflexive mode of remembering but an *agonistic* one as well, which invites “conflictual consensus” (Mouffe), contestation, and debate. That is to say, the evocation of the real author may be complex and carefully orchestrated but in these works it is not ironical and it places the author firmly as the source of the claims made by the book. The author, as Phelan has it, has designs on his audience, and in the forensic work these designs are concerned with changing society—specifically in relation to the past.

This circumstance raises the question of genre. How do various genres of fiction and nonfiction provide different iterations of the forensic mode? In *Blood-Dark Track*, Joseph O’Neill may be writing a family history (this is how the book is labelled on the cover) but the rest of the paratext suggests a surprising degree of affiliation with detective and adventure fiction. In the second part of this analysis, I discuss how these two genres are evoked, how they are used within the narrative and what they do to the forensic mode.

The narrator's role as investigator and evaluator of evidence is particularly interesting because of Joseph O'Neill's (author and narrator) training as a lawyer. A prominent example is that of Joseph Dakad's testimony about his internment. It is given in the form of a letter to the Turkish authorities that was never posted. In the prologue, we learn that the narrator originally found this manuscript back in the 1980s (when he was in his mid-twenties) in a locked-up depot filled with old sea-stained paperbacks, school reports, and snorkels. He notices some papers from an old ledger book held together by a rusting safety pin "with columns for debits and credits and totting up. But if this was an accounting, it wasn't of the financial kind" (5). This is the narrator's first encounter with the testimony, and from his cousin's sketchy translation of the Turkish text and his mother's and grandmother's reactions to their find, he knows that he is trespassing on "a dark corner of family history" (*ibid.*). In Chap. 3, after the first part of the story of his grandfather's imprisonment (largely based on the testimony) has been related, a page from the ledger book is presented to the reader (98). The image of the page with Joseph Dakad's own words and handwriting serves both to present his voice and gesture directly to the reader and to authenticate the narrative by showing the document on which it is based. The intimacy associated with handwriting (particularly perhaps today) is emphasized as it is printed just below the author's Aunt Amy's emotional reaction to the translation process: "It isn't easy work, you know" (*ibid.*), Amy says. "She made a throaty noise, and I realized that she was struggling with tears" (*ibid.*). Passing judgment on previous generations is neither free nor easy and takes its toll on the family. As we read on we see why: Joseph Dakad's testimony is dramatic and intense, and the narrator is also deeply troubled by it. "The suicide attempts, the mental torture, the self-mutilations, the cell transfers, the food poisonings, the suspicions, the unceasing distress at the centre of it all: repetitive and demanding and interminable and horrifying" (115). While the narrator, a grandson of the traumatized author of the testimony, is deeply distressed by reading it, as a reader and lawyer, he is also sceptical:

A part of me was irritated by the author of this airless, woebegone account, which made an incoherent and overly direct claim on my pity and too readily assumed assent to its tormented speculations – and, of course, a part of me consequently felt guilty: for I recognized in myself the strange mercilessness of the disoblged reader. (115)

Joseph Dakad does not manage to present his testimony convincingly or persuasively to his audience. While it is intense reading and clearly testifies to the emotional turbulence of its author, we get the feeling that it would not have accomplished much had it been sent. The lawyer-narrator reflects:

A familiar feeling of dismay overcame me – the feeling lawyers get when their witness comes out with a statement that abruptly deflates the balloon of credibility he has laboriously puffed up. It was simply impossible that an entire internment camp might be devoted to extracting information (information about *what*, incidentally?) from one prisoner. My grandfather was clearly a writer in the grip of paranoia. [...]

But this development did not lead me to distrust the whole of his testimony. A witness may be reliable in certain respects and unreliable in others. My grandfather was not *lying* about the role of his fellow prisoners; he was simply deluded about it. His paranoia therefore did not make me especially sceptical of his version of physically observable events (*especially*, because I was always conscious that the testimony was, as lawyers say, a self-serving statement), but of course it made his interpretation of them doubtful – doubtful, but not necessarily wrong. (118)

O'Neill's careful evaluation of his grandfather's statement is interesting because he invokes his training as a lawyer to address the same doubt that readers struggle with. And he does so while implicitly defending his own use of the testimony as a source of the story we have just heard. O'Neill is sceptical of his grandfather's ability to interpret his experiences correctly (which clearly contributes to his suffering), yet he does not discard his testimony or reduce it to a document that only testifies to the trauma itself. The broken voice of his grandfather is instead used as a source of information regarding both the events in question and Joseph Dakad's character.

Another document written by Joseph Dakad that describes his experiences is introduced in the next chapter, which is concerned with the Turkish half of the narrative (Chap. 5). A letter to the British embassy, in which Joseph Dakad seeks redress for his losses, turns up in Joseph Dakad's safe in the course of the investigation:

I was impressed by the clarity and conciseness of my grandfather's letter to the British embassy and, one or two shaky moments aside, by his grasp of

English, which extended to a feel for legal phraseology and tone; [...] By an act of will, the spooked narrator of the testimony had been discarded and replaced by a self-possessed, measured complainant who made the best of a not very strong case: because, for all of the claim's careful assertiveness, its central proposition – that the claimant's innocence was demonstrable from his repatriation – was, of course, flawed. (164)

The narrator refers here to point 6 of the letter, which states: "All the investigations made against me during the 3½ years of my detention proved nothing. With the result I was returned to Turkey which proves my innocence" (163). These two documents are Joseph Dakad's own attempts at stating his innocence. By quoting the two texts, and by critically evaluating them, the author lays Joseph Dakad bare to the reader. He is otherwise portrayed as worldly, educated, and competent, but here we learn that he is a man who "for all his commercial boldness and authoritarianism and social gravitas, had a timorous nature" (165). He was therefore a man who could, according to his closest relations, never have been involved with espionage. His testimony is evoked as evidence of that "temperamental frailty" (ibid.). The narrator goes on to present two further pieces of evidence also found in the safe. One certifies that Joseph Dakad had worked for the *Gesellschaft für den Bau von Eisenbahnen in der Türkei* (quoted on p. 166) in 1919, and the other that he acted as an agent for the Germans—although for commercial purposes—in 1930 (quoted on p. 167). While there is nothing sinister about these events, Dakad's involvement with the Germans suggests that he might not be as pro-Allies as he claims to be in his letter to the British embassy. Timid and frail, worldly and competent, with no evil intentions yet always acting suspiciously: Joseph Dakad is probably not, the narrator concludes, intentionally doing anything he should not be. Nonetheless, his position as a Germanophile hotel owner in a strategically important town,<sup>5</sup> and his actions and involvements with pro-Axis actors on his journey to Palestine, are hard to explain away and certainly invite mistrust.

In the end, it turns out to be quite likely that Joseph Dakad was captured because the Turkish authorities (who did not have much sympathy for the rich Christian "Syrians" in the area) planted information about him. This conclusion is reached by adding a careful examination of evidence from the case of one Nazim Gandour (another Turkish "Syrian" whom Joseph Dakad suspects of spying on him when they share a cell in a Beirut prison):

[A]fter all the enquiries and memoranda and Secret letters and consultations and relayed messages, not one of these bureaucratic Chinese whisperers was able to grasp or spell out precisely what the case against Nazim Gandour was. Then again, there was never a case against Gandour as such. He was not the subject of a juridical process. [...] and Joseph Dakad, it could be assumed, was subject to the same regime. (190)

The narrator concludes that Joseph Dakad, while probably innocent of spying, may by his actions “have left the British and their Turkish collaborators with little choice other than to arrest him” (315). Why would he do that? Well, the war brought about an influx of foreigners from Europe, and Joseph Dakad, who perceived himself as worldly and competent, as a gentleman of importance, wanted to interact with them, to appear knowledgeable. But “in wartime,” the narrator states, “there were hazards attached to such a profile” (*ibid.*). He suggests that the documents having been kept in the safe, (even though they have no real value) provides a “story of sorts” for it serves as evidence not only of the events in question but also of Joseph Dakad’s desire to be connected to the world beyond Turkey.

From this point, the issue of Joseph Dakad’s guilt shifts from the particular issue of his actions in relation to the politics of World War II towards the more general issue of the cultural and political situation in Cilicia at the beginning of the century. Dakad may be innocent of spying but the investigation raises new questions: Dakad lived and worked as a young man in an area where the Armenian genocide would have been unavoidably present, yet it is never mentioned as part of the family history. Armenian individuals are mentioned in the testimony, however, and are all portrayed as unsympathetic and threatening figures. The narrator acknowledges that Joseph Dakad “wrote his testimony at a desperate time, that he had good reasons to distance himself from the Armenians, and even that he may well have encountered a succession of unpleasant Armenian nationals” (318).<sup>6</sup> But he also insinuates that “these portraits reflected an incapacity to attach significance to the vivid ordeals of his fellow Cilicians or, indeed, to the political passions that lay behind their disastrous fate” (*ibid.*). Dakad’s inability to grasp the political stakes in the events around him is, the narrator concludes, probably also the reason for his inability to understand how his own actions would be interpreted and therefore also the reason for his imprisonment.

The question of guilt and innocence is mirrored but is also twisted in relation to the story of the author's paternal grandfather, Jim O'Neill. The issue of sectarian violence—which sneaks up on the story of Joseph Dakad—also, troublingly, haunts the story of Jim O'Neill and the O'Neill family's involvement with the IRA. This issue comes across as particularly urgent as it is presented in relation to the convictions of still living family members and in relation to contemporary political conflicts and continuing acts of violence by the IRA in the late 1990s when the book was researched and written. In his investigation of the Irish story, the author himself becomes a central actor. This is so not just because his investigation is rooted deeply in family history and engages with his own feelings of patriotism, but also because the author has been educated in English schools and his English accent is a constant factor when he has to gain access to Irish and Anglo-Irish sources. O'Neill repeatedly reflects on how his own voice and upbringing shape his investigation and interpretation. In the North he finds that

[i]t was intoxicating to have been taken into the very core of the republican struggle and to feel solidarity with my oppressed kinfolk, but of course I did not feel at home on the Bogside. How could I, when simply to open my English mouth exposed me to prejudice and mistrust? (238)

When he wants to talk to the family of the murdered Admiral Somerville, accent is again thematized as Somerville's cousin answers the door, speaking "in that slightly mumbling voice used by the ascendancy class to take the edge off an English accent" (282). The author responds in his "most English accent" in order to gain access to the house.

The reason for Jim O'Neill's imprisonment is relatively straightforward. We learn that Jim O'Neill grew up during the Anglo-Irish War (1918–1921) and afterwards through the Civil War. He joined the IRA in his early twenties some time between 1930 and 1932. In 1939, after the Germans invaded Poland, a state of emergency was declared in the Free State of Éire. Because Eamon de Valera was concerned that the activities of the IRA would compromise the neutrality of the state, most known Republicans were arrested, Jim O'Neill among them. He was found guilty of being a member of an unlawful association and sentenced to 3 months' imprisonment. While he was in prison, the Supreme Court declared that the bill that empowered the state to intern Irish citizens without a trial was not in conflict with the Constitution; Jim O'Neill was

consequently re-arrested and taken to the Curragh internment camp for the rest of the war (139–140). This imprisonment left Jim O'Neill bitter and paranoid—not unlike Joseph Dakad.

While the particular reasons for his internment are easily accessible, the question of his guilt is not and relates to his involvement with the organization of the IRA, first, in terms of the IRA's problematic associations with Nazi Germany and second, because of the violence against informers and Protestant civilians. The first issue is discussed in relation to the narrator's investigation at the internment camp where Poles, Frenchmen, and members of the Canadian RAF and the German Luftwaffe were interned—a consequence of Ireland's neutrality policy—alongside the Irish internees. The presence of the Germans, the narrator states, is “barely recorded in the reminiscences of Irish internees” (159). He continues:

To a degree, this was an understandable hiatus – after all, the men had plenty to say, and plenty that needed to be said, about their own day-to-day experiences, and it might have been that they were simply accord-ing themselves a natural historical priority. Even so, given the proximity at the Curragh of the two national groups – separated only by a trench, they were within shouting distance of each other – and the extraordinary dimensions of the world war, it seemed wrong-headed to relate the story of the internment without meaningful reference to the events occurring beyond the Irish encampment's barbed wire: the very events, in fact, that were the cause of the men's internment. It was remarkable how a republican discourse, although influenced by the transnational principles of socialism and Roman Catholicism, was impermeable to ulterior narratives. Of course, there was an obvious reason for the non-appearance of the German internees or, for that matter, the Second World War, in the movements' self-history: these subjects raised the issue of the IRA's complicity with Nazi Germany. (ibid.)

The issue of the impermeable nature of the Republican or Irish Nationalist reservoir of narratives recurs in relation to the other issue, that of the IRA's use of violence—and, in turn, in relation to the investigation of Joseph Dakad and the absence in the Dakad family narratives of the fate of the Armenians. It is principally discussed in relation to the investigation of Irish Protestant Admiral Somerville's murder in 1936—a genuine murder plot within the narrative, as the author suspects his grandfather of being the perpetrator. Interestingly, the Somerville

murder had important consequences which bring us back to the internment camp: the murder was one of the reasons why the relations between the IRA and Eamon de Valera's party Fianna Fáil collapsed, which caused the IRA to become an unlawful association, and was, in turn, one reason for the imprisonment of Jim O'Neill.

The murder of Admiral Somerville is introduced when, at the end of Chap. 2 (Chap. 1 addressing Jim O'Neill's story), the narrator's uncle laughingly presents him with "the gun that shot Admiral Somerville" (94). In this chapter, we return to Ireland and the Somerville murder, in which—it is implied—Jim O'Neill has somehow been involved. Here we have a genuine forensic investigation. The chapter starts with a description of the shooting. This report seems to be based on the testimony of Admiral Somerville's wife, who overheard the shooting and found the body afterwards. Then O'Neill addresses the police investigation process and discusses the forensic analysis of the crime scene and the body in detail. He goes on to quote the State Solicitor's address to the inquest jury, which describes Somerville's pedigree and good character. O'Neill furthermore states that Somerville was in fact innocent of the accusation levelled at him by his murderers (that he was a recruiting agent for the British armed forces). The portrait of Somerville from the State Solicitor's address is echoed in the community, which largely distances itself from the act. Both the Catholic Church and the political establishment condemn the assassination publicly. Even IRA commanding officer Tom Barry, who—it turns out—actually sanctioned the killing (and has no problem with the use of violence in the IRA's political struggle), introduces, according to the narrator "a morally significant distance between him and the killing" (130). This gesture becomes important when, in the final pages of the book, the narrator returns to the issue of violence against the Protestant community by the IRA. The narrator suggests that in relation to the Somerville murder,

a communal exorcism was performed by a deft act of narrative. By repeated references to anti-unionist episodes in his ancestry and to the fact that he never engaged in *active* recruitment, the Admiral was cast as a quasi-nationalist good old boy. There was, of course, no direct mention of his religion. The actual nuanced identities of this Protestant, unionist Anglo-Irishman were blotted out like the shadows of a man under flood-lights. (331)



The death of Admiral Somerville was thus rendered insignificant in the Irish public sphere *in other terms than that of nationalist discourse*, in which he is adopted as a quasi-unionist. The impermeability of the nationalist discourse, O'Neill claims, drowns out and reduces all other narratives.

The human significance of Protestants in Ireland, like that of any other ethnic minority, depended on the visibility in the culture of their complex ideas about themselves. [...] What was startling was that, in the absence of a conventional nationalist explanation, the Catholic community was struck dumb; it possessed no *alternative* vocabulary with which to speak of the dead. It seemed that the only significance Protestants were capable of enjoying was nationalist significance. (330)

These “complex ideas” are not visible, and therefore become insignificant.

Jim O'Neill turns out to be innocent of killing Admiral Somerville (it is, instead, the author's great-uncle and great-aunt, Tadhg Lynch and Angela Lynch and someone named Joe Collins who did the deed), but the narrator nevertheless refuses to completely disassociate him from it. The narrator concludes that Jim O'Neill would have committed the murder had he been asked to, and he was furthermore the only link between the murderers and the farm where the gun was hidden. So it is likely that Jim was still somehow involved.

The genuine piece of investigation on the part of the author that provides new knowledge about a real historical murder links the book even more explicitly to a contemporary reality. The author can now contact the living relatives of Admiral Somerville and ask them if they want to know who did it before the book is published. They do not. The author wonders at that, and the reason becomes clear, as he slowly focuses in on the real reason for the murder. To get there, the author has to return to the story of Joseph Dakad and to an experience he had as part of the investigation. Travelling by train on the route Joseph Dakad took aboard the Taurus Express on his way to Palestine, the narrator's emotions resemble those which made Vladimir Brik hold on extra carefully to his American passport between Ukraine and Moldova: a feeling of insecurity and of being utterly displaced and *insignificant* to his surroundings. Uncomfortable and scared in a landscape he describes as “a black, unfathomable zone of flickering petrol stations, senseless land formations

and barely lit villages,” he identifies his reaction as a “solipsistic anxiety” resulting from his being “plunged among people with whom I stood in a relation of near-total mutual ignorance” (305). “[T]o be among such strangers,” he continues,

was a form of eradication; for which of them could bear witness to who I was? And the converse was also true: unable meaningfully to incorporate these Anatolians into my construction of the world, I lacked the ability to do them justice. They were literally insignificant. (ibid.)

This relational gulf, he then explains, also divides Joseph Dakad from the Armenians—and the Irish nationalists from the Protestant minority. Based on his research on the Somerville killing and the so-called April Massacre,<sup>7</sup> the narrator compares the migrant groups of Cork, Ireland, and Cilicia, Turkey, placing his grandfathers on opposite sides in a virtual conflict. He also notably *shifts* the comparison from being between the persecuted Armenians and the Irish to being between the Cilician Christians and the Protestants in Ireland:

The migrant groups in Ireland and Turkey were remarkably similar. Both were minorities regarded as fifth column of the foreign enemy; both suffered a demographic cataclysm unmentioned by dominant nationalist histories; and finally, both left a vestigial population in the new nation-state whose members instinctively understood that, whatever the political and constitutional affirmations to the contrary, their citizenship was a matter of indulgence and not of right. (327)

Thus, we also get an explanation for the lack of interest from Somerville’s descendants in finding out who killed him:

I’d always suspected that Admiral Somerville’s descendants’ lack of interest in knowing the identity of his killers reflected their belief that it didn’t really matter which meaningless Ryan or Murphy – or O’Neill – had pulled the trigger. Now I sensed that their disdain may also have been due to an inherited, self-preservative knowledge that to lay claim to certain kinds of justice, historical or political, was to overstep the mark; and I understood why Mrs. Salter-Townshend had gone out of her way to characterize Castletownshend as a sleepy fishing village of no consequence. (327)

This rhetorical move does not serve to get Joseph Dakad off the hook but rather makes the controversial claim that there is or has been a

sectarian element to the political violence in Ireland: Admiral Somerville was in fact not killed because he provided references to people who wanted to enlist in the British forces, but because he was a Protestant who did so.<sup>8</sup>

This conclusion is particularly controversial because the investigation takes place in the late 1990s, when the violent conflicts about Ireland's future were still ongoing. Originally published in 2000, the book could potentially have been part of a heated debate. This did not happen—probably because the terrorist attack on September 11, 2001 in New York made the book “disappear into a vacuum” (Coffey 2010). Indeed, 9/11 changed the debates about terrorism as a political weapon radically. At that time, O'Neill comments in an interview with *Publishers Weekly*, “[t]here was no cultural oxygen for this kind of book” (Coffey 2010).<sup>9</sup>

In his discussions of the use of violence by the IRA, Joseph O'Neill summarizes his own doctoral dissertation on the legitimacy of the Irish Unionist use of violence. He ends up explicitly questioning the conclusions he reached in his previous (academic) work and proposes instead that there is a sectarian element in political violence by the IRA. O'Neill goes on to suggest that this element has no place in the national reservoir of narratives, which leaves particular killings out of contemporary collective memory.

The fact that the author has experience as a lawyer is used to claim a certain authority in terms of evaluating the evidence, but it is also connected to his English schooling and middle-class upbringing. This status divides him from the Irish working class, whose acts he investigates. O'Neill's personal approach to the questions that concerned him in his academic work provides new conclusions, as his engagement with the political positions of family members, which he loves and admires, leads him to carefully evaluate his own position as interpreter:

For a long time I believed that the strength of my analysis was that it was rational, deductive, and non-protagonistic. It didn't well up from inherited feelings of loss and outrage about the division of Ireland or from a received sense that the armed struggle for freedom was *prima facie* virtuous or evil. [...] But in the course of my visits to Ireland, I began to have second thoughts. First of all, I realized that the views I'd fastidiously held for a dozen years were inductive and proceeded, in reality, from a gut feeling that the violence I'd observed was for the worst – a gut feeling that could easily have resulted from my participation in British culture. [...] Why should my gut feelings be any more reliable than those of the republicans

I'd met? It was not simply that these republicans were obviously good and kind people: it was, as I saw it, that they were undoubtedly *superior to me as moral agents*. [...] My grandmother and my uncle Brendan, for example, had spoken up and acted in relation to apartheid and to the rights of workers and ethnic minorities. I, meanwhile, had followed the self-serving, morally unvigorous path of the business lawyer and novelist. (246)

In retrospect, the involvement of the author's own character, profession and family relations allows him to stand by the claims made by the book. O'Neill discusses various positions in the debate about the use of violence in political conflict in relation both to the analysis of historians and to the involvement and political stance of his own family. He also re-evaluates his own professional analysis within the text, emphasizing the problems of interpreting the past and recognizing the legitimacy of the various claims even while disagreeing with their interpretations.

### GENRES AND THE MODE

In a review of Joseph O'Neill's *Blood-Dark Track* in *The New York Times* Colin Harrison writes:

O'Neill's investigation into the culpability of both of his grandfathers might be called an exercise in cultural forensics, for he tirelessly turns the soil of his grandfathers' lives, discovering proofs of guilt or innocence in the offhand utterances of relatives, in obscure documents (some entombed in libraries, others left in a safe for decades) and in shards of local history, politics, language and custom. (Harrison 2002)

Joseph O'Neill's book is indeed a work of investigation or "cultural forensics." But the blurbs and reviews that frame the narrative take this point a step further and suggest a strong connection to the genre of detective fiction. *The Esquire* calls it "an extraordinary piece of detective work" and *The Economist* a "gripping detective story." According to the *Sunday Telegraph*, the book is written with "forensic honesty," and *TLS* even commends "the progress of [O'Neill's] investigation" as being "imbued with all the darkening excitement of a novel by le Carré or Greene."

These review extracts are collected on the first page after the cover, but the first three quoted here have also made it to the cover,

highlighting (and over-stating) the book's affiliation with detective fiction. *Blood-Dark Track*, like all the forensic narratives that I have discussed in this book, borrows from detective fiction the doubled plot of an investigation in the present and a conflict, crime, or transgression committed in the past. However, as I have argued, forensic narratives provide no clear-cut solution to the mystery, but rather an invitation to interpret and evaluate the evidence and the claims made by the author.

The cover of the edition that I have quoted from here (designed by Nathan Burton for Fourth Estate) is made to look like a worn, tatty paperback version of a piece of hard-boiled crime fiction. The photograph of an empty beer glass and a gun, which is not taken from within the book, supports this paratextual framing. This cover echoes the original one by Granta Books published in 2000, which also suggests an affiliation with a kind of film-noir detective fiction. The Granta cover presents evocative photographs of Joseph Dakad (the mysterious Eastern spy) and Jim O'Neill (the handsome Irish rebel) from within the book. Underneath them is a darker version of a blurry photograph (also presented in the book) of the gun that killed Admiral Somerville. These designs largely misrepresent the content of the book. Yet they still serve to highlight the ways in which the book does relate to detective fiction and adventurous spy novels. The book covers also invite readings that emphasize this connection.<sup>10</sup> Placing the heading "a family history" almost as a subtitle in this framework also suggests an ambiguity in terms of genre, which I will investigate further.

In relation to the murder of Admiral Somerville, there is a genuine murder plot in which Jim O'Neill is suspected of being involved. The narrator enumerates the forensic analyses as they take place parallel to the circulation of narratives about Somerville in the media (127). The pathologist's report is laid out in detail, catering to the contemporary reader's fascination with forensic pathology. We are also presented with a newspaper cutting from *The Cork Examiner* with a photograph of the entrance porch of Point House where Somerville was shot, the location of the bullet holes and the body marked with white arrows.<sup>11</sup> These passages and the newspaper cutting with its dark photograph and dramatic headlines ("Killed instantly./Pathetic story told by tragic widow./A voice—then shots.") do make this section of the book read almost like detective fiction, and the crime plot relating to the Somerville murder runs through the book from the moment the gun, rusted and heavy, lands in the lap of the narrator at the end of Chap. 2 to the very end

where O'Neill finally solves the murder mystery. The investigation of the murder is indeed successful (as opposed to the one in *The Lazarus Project*) but as a detective story the book is unsatisfying. Jim O'Neill did not do it, we have not even been introduced to the real murderers in the story and no visible clues (Moretti) have pointed towards them. The plot does not consist of simple complementary stories of crime and detection, but is caught up in the intricate workings of family history (the other paratextual framework). In the end, no one really wants to know who did it, and this is, as we have seen, what leads the narrator to speculate further about the reasons for the murder and for the lack of current interest. The investigation only leads to further questions regarding reasons, intentions, responsibilities, and consequences in relation to acts of violence and terrorism. This situation demands that the reader follow complicated arguments and reflections with no simple answers that are still urgent in our contemporary political reality. As the detective story is wrapped up in family history, it is argued on a formal level that simple narratives, clear-cut criminal investigations, and unambiguous motives will not suffice when dealing with complex historical events. Reducing these complexities is morally and politically perilous as well as historically insufficient.

As a family history, the author's familial involvement with the subjects of his investigation provides legitimacy for passing judgment on the memory of the dead. Yet it is emphasized that the detached gaze of the trained lawyer is needed to do so in a qualified manner, and the tension driving the book is not really between crime and detection or between past and present but rather between intimate engagement and detached reflection. In relation to Tadhg Lynch, the man who did shoot Admiral Somerville, the importance of the familial link is explicitly stated:

Kevin [the father of the author] liked and respected his uncle so much that my full name is Tadhg Joseph O'Neill.

I didn't really know what to make of this strange link – except perhaps, that it gave me a peculiar justification for grappling with what my namesake Tadhg had done. This was emboldening, because once the main facts of the shooting were known to me, I was assailed by self-doubt. What had I ever done to earn the right to pronounce, favourably or unfavourably, on the actions of my elders? Who was I to sit in a judicial capacity? (294)

The obvious answer to this question is: both a family member and a lawyer. This dual identity of the narrator and the dual gaze, intimate and detached, engaged and analytical, allows him to maintain a critical distance but also to acknowledge the importance of personal experience and emotional investment.

The question, the author suggests, is whether the presentation of the protagonists to the forum established by the book serves to lock them up or to set them free:

However scrupulous I have tried to be, I have unavoidably subjected my grandfathers, defenceless in their graves, to an unfair trial; and sometimes, thinking back to the hostility I felt towards them at the outset, I have even worried if I haven't been driven by a desire to lock them up in words as a punishment for the hurt silence which, I rightly or wrongly sensed, they'd bequeathed my parents. In the end, though, I like to think differently. Joseph and Jim may well be my prisoners, interned in death behind the bars of these paragraphs, but they are also escapees from the hush in which they were held by my family. (337)

I suggest, however, that the book as a whole *resists* being read that way. While O'Neill does revive his grandfathers from the silence of the past, he does so in an explicitly *political* way. Jim O'Neill and Joseph Dakad are not brought into the present as grandfathers, fathers and husbands, which is the way the narrator proposes to remember them. They are in fact portrayed as political and historical actors, on the basis of whose actions political claims can be made. As family history meets crime fiction, the literary trial staged here by O'Neill drives the reader to consider urgent and complicated questions that refuse to let anyone go free. In both storylines, the question of guilt remains complex. While Jim O'Neill may have been struggling against the oppression of the British, the acts and allegiances of the IRA are questioned and criticized but also carefully weighed and considered. And while Jim O'Neill was innocent of the murder of Admiral Somerville, his involvement with the IRA and his close relationship to those who committed the murder implicates him nonetheless. While the narrator largely concludes that Joseph Dakad is innocent of any (conscious) act of spying against the Allies, his presence in Mersin during the Armenian genocide and World War II places him within fields of relations where various forms of indirect involvement make guilt a complicated matter.

As a piece of memory writing, Joseph O'Neill engages directly with the multidirectionality of memory, in Michael Rothberg's terminology, rather than with postmemory (which might be invoked in the vaguely defined "parental silence"). By making comparisons between different groups and shifting the patterns of similarity and difference as he goes, O'Neill's investigation creates new knowledge about historical events that he uses to make claims about sensitive political issues. While *The Anatomy of a Moment* is focused intensely on a single event, *Blood-Dark Track* uses comparison to close in on what is perhaps the genuine heart of the narrative: terrorism as a political tool.

The role of the narrator is that of investigator who continuously evaluates the evidence and revises his interpretation as the layers of history are excavated. The narrator of *Blood-Dark Track* explicitly relies on his training as a lawyer and uses it rhetorically to convince the reader of his ability to evaluate the evidence. He also sets out to make claims that are, in the end, less concerned with familial memory work and with passing judgment on his grandfathers than with addressing sectarian violence in relation to historical events that are still highly controversial and politically sensitive. By contrasting genres of family memoir and adventure or detective fiction, the book resists being read as a work that simply rescues the memories of Joseph O'Neill's grandfathers, and insists on questioning the way we create political spaces for the stories about ourselves and others. While the book, like the ones previously discussed, is concerned with the difficulties of evaluating evidence, this does not lead to relativism. It rather highlights the fact that the narrator attempts to get to the truth and make claims about it. The involvement of family members, both in the acts that are investigated and in the process of investigation, gives the claims weight because they are clearly controversial politically as well as personally.

Another genre is also invoked, however. *Blood-Dark Track* opens with two maps, one of West Cork, Ireland, and one of the Turkey/Syrian border as it looked in the spring of 1942 when Joseph Dakad made his journey to Palestine.

The two fields of investigation are thus presented visually and on the same page, setting the stage for the narrative that follows. On the opposite page we see a quote from the IRA officer Tom Barry's memoir *Guerrilla Days in Ireland*, which also connects Ireland and the Middle East. After a colourful and romantic description of "far-off Mesopotamia," "that land of Biblical names and history, of vast deserts



and date groves, scorching suns and hot winds,” the quotation from Tom Barry invokes and connects the central parties and places that O’Neill’s book goes on to investigate: “It was there in that land of the Arabs, then a battle-ground for the contending Imperialistic armies of Britain and Turkey, that I awoke to the echoes of guns being fired in the capital of my own country, Ireland” (1).

Tom Barry’s book reappears later in the prologue as it provides the framework for the author’s imagining of the life of his paternal grandfather. “My vague imagining of my grandfather’s rebel world was,” O’Neill writes,

in terms of the jacket illustration for *Guerrilla Days in Ireland* by Tom Barry, a tatty paperback memoir that had always occupied an incongruous niche between my mother’s multilingual dictionaries and volumes of French literature. The illustration is of an IRA ambush at dusk on a deserted country road in West Cork, the sky burgundy, the sunken day a low-lying mass of yellow. A convoy of trucks is turning into view, and waiting to jump them are a smart officer in a blue jacket and a tie, who is holding a pistol, and two sturdy, rifle-toting fellows in rough shirts. It is a colourful, quasi-fictional scene in the style of a boys’ comic, and speaks of cold, adventurous nights and clean cut valour. (8)

This romantic image of the brave Irish rebel, the adventurous heroic figure, of “adventurous nights and clean cut valour” on the cover of Tom Barry’s memoir, is continuously evoked yet slowly dismantled throughout the book. The romantic image of the Irish rebel underscores his moral superiority based, the narrator claims, on the intentions stated in the founding document of the Irish Republic, the 1916 Proclamation of Independence, which guarantees religious and civil liberty and equal rights to all citizens. The narrator notes that the existence of Protestant supporters of the Republican movement invests “the idea of the Irish nation-state with an extraordinary moral pedigree, [...] symbolic of nationalism’s unseen, ecstatic intimacy with the forces of justice” (327) as they lend credibility to the vision of an inclusive united Ireland. Yet with his investigation of the Somerville killing, the narrator must conclude (with notable reference to Tom Barry) that this image is wrong:

There was no way around it. [...] what distinguished him [Somerville] from the other referees – priests, councillors and other men of standing, a

significant number of whom, like Somerville and indeed Tom Barry, had at some point served in the British army – was his religion. (328)

The narrator—who is, in his own words, “as susceptible as any Catholic Irishman to dazzlingly buy the nationalist myths” (327)—has to let go of his belief in the moral superiority of the nationalist cause as he faces the “futile, morally muddy world” (330) of the Cork killings of April 1922. The link that O’Neill establishes between his family history and these adventurous and romantic images reveals how our relationship with our national or familial pasts tends to be equally romantic and simplistic. O’Neill evokes the romantic narratives of both the homeland and the exotic world-out-there as the attractive, romantic frameworks for making sense of the past, but they are carefully dissembled in the text.

While the narrative is otherwise analytical and realistic, the romantic adventure story is continuously evoked as the book’s colourful backdrop or central set of images. The exotic image of the East is present in the descriptions of the Cilician town of Mersin, and is particularly evident in the colourful and adventurous portrayal of the town during World War II as an Eastern version of Humphrey Bogart’s *Casablanca*, full of spies, rumours, and exotic characters. The photograph of Joseph Dakad (the one used on the original *Granta* cover) is presented as a kind of evidence of this romantic, film-noir image of the East and of Joseph Dakad’s role (or imagined role) within it. In the end, though, it does perhaps rather testify to the imaginative process brought forth by such an image, stapled to a train pass covered in stamps and traces of use. It is not just an image of Joseph Dakad but also a document speaking of journeys, border crossings, and encounters, inspiring exactly the

mystique and the promise of adventure [...] attached to train journeys. Illicit romantic encounters, skulduggery in the dining-car, identical suitcases exchanged on steaming platforms, cat-and-mouse in the corridors of trembling wagons. (ibid.)

The photograph gives an impression of a businessman, were it not for the dark circular sunglasses that, O’Neill writes, “gave him a cool, somewhat sinister look; to those of a dramatic cast of mind, the look of a spy” (99). The narrator bases his discussions on the information from the former British Vice-Consul at Mersin, Sir Denis Wright, and several other sources.<sup>12</sup> The photograph of Dakad is revealed as the reader turns the

page, and after the author has carefully set the stage, it does indeed look spy-like and romantic.

The romantic, adventurous—and contrasting—images of the sun-burnt Mersin and the rainy County Cork are part of the story's imagery and are central to the author's own imagining of his family's history. Furthermore, as the imagery also shapes the perceptions of various groups they become politically significant as well. *Blood-Dark Track* evokes these images and recognizes their importance but goes on to shatter them as reality resists their simple, attractive narratives. Thus, again the central claim made by the book is that we need a varied and nuanced reservoir of narratives to attach significance to each other's experiences and histories.

In *The Anatomy of a Moment*, Javier Cercas sets out to investigate the image of Adolfo Suárez from the attempted *coup d'état* of February 23. The image is dissected and fractured and it is taken out of a sequence of images and invested with particular potency, supporting the book's portrayal of Suárez as the "pure politician" and defender of democracy. Thus, Cercas disassembles a chapter of national history and reassembles it in persuasive patterns. O'Neill, on the other hand, does not focus on one image but provides several that are always dynamic, that shift and evolve through the narrator's comparisons and tentative reflections on chronologies, causalities, and connections. In this way the romantic narratives of resistance and heroism connected to Irish nationalism are challenged. While Cercas' move from national history towards the intimacy of the family connects the various interpretations and reflections in elegant symmetries, leading to reconciliation both within the family and with the past, O'Neill's move from family to world history is rough and open-ended and his conclusions tentative and self-reflexive.

In both cases, the distinctively *literary* engagement with historical events that engages both author and reader in the evaluation of the evidence serves to foreground the importance of perspective and *aesthetic* judgement. It highlights the processes of image making and narration involved in interpreting the past. In this way, the works invite us to take a reflexive stance in relation to our engagement with the past but they also invite critical evaluation and public debate.

I find it important to note that while Cercas' implied or authorial audience is a specific Spanish one, a literary work and its mediation of memory content may travel beyond any local forum for which the work is intended (see for instance Astrid Erll on travelling memory, Erll 2011)

When Cercas presents his interpretation of the transition history, he does not *exclusively* enter into a specific (and heated) national debate but also assembles a transnational audience of readers around the contested evidence.<sup>13</sup> The fora addressed by forensic works are, undoubtedly, constituted through their reception by real-world readers, which are not necessarily the particular audiences that the authors intend.<sup>14</sup> In contrast to Cercas, Hemon's outlook is transnational from the outset, even though he may to some extent address an American public in his explicit criticism of the Bush administration. Furthermore, his actual audience includes inhabitants of the former Yugoslavia by whom his narratives would be received as highly political. O'Neill is perhaps particularly interesting because his book addresses Irish Unionism and the use of political violence. These issues were debated violently at the time the book was written but O'Neill found no receptive audience—even though the issue was more urgent than ever. This was because the book was published in September 2001 and its reception coincided with the shock of 9/11.

As a narrative mode, forensic literature presents claims about historical events to a forum of readers. Most often the forensic mode employs the non-fictional genres of memoir or family history that naturally implicate the author as the origin of the claims made by the book. But in works like *The Lazarus Project*, clausbecknielsen.net's *The Suicide Mission*, and Stefan Hertmans' novel *Orloog en Terpentijn*, fiction is also represented. In these works, the author is also implicated, if indirectly, and his ambiguous presence further emphasizes the importance of perspective. Across a variety of genres, the forensic work draws the reader's attention to the *communicative act* of interpretation and claim-making in the forum. It invites readers to take part in the process of evaluating the evidence and the claims that are made.

The various genres provide different frameworks and possibilities for presenting claims as they shape the reader's approach and involvement. In *The Lazarus Project*, readers explore the issue of identity from within and follow Brik's journey and internal conflicts with emotional engagement. In *A Brief Stop on the Road from Auschwitz*, the fact that we are dealing with a troubled family history invites readers to approach the story with empathy but also expecting to learn the facts of a true story. The same is true of *Blood-Dark Track*, but here the narrator's critical approach to his own familial past assigns a secondary role to empathy in relation to an analytical or critical mode of reading. In *The Anatomy of a Moment*, the ambiguous framing places readers in a state of ambiguity.

While readers expect historical truth, they are also offered a narrative as potent as a work of fiction. I think that Cercas largely succeeds in creating such a narrative while respecting the historical source material. Nonetheless, the ending of the book suddenly reframes it as a piece of intimate family history. This move to some extent dismantles the political force of the book—even though it supports and to some extent strengthens its claims. This strategy suggests that the author’s motive may always have been reconciliation rather than historical analysis.<sup>15</sup>

In this chapter, I have argued that the forensic mode elicits a reflexive-agonistic mode of remembering that is explicitly concerned with the processes of evaluation and contestation of evidence and claims. It also invites its readers to be part of a political transaction as they participate in the forum assembled around the texts. The agonistic mode insists on the conflictual if not competitive (Rothberg) or antagonistic aspects of memory culture. As such, it makes (sometimes controversial) political claims, which invite evaluation, contestation, and debate. Therefore, the (reflexive-agonistic) forensic mode insists on the importance of human values and perspectives, representational strategies, and processes of interpretation. It refuses a detached, mechanical, or strictly scientific approach to evaluating the past. Instead, the authors position themselves as reliable harvesters and interpreters of traces of the past through reflexive considerations of historical knowledge’s complexity and of themselves as interpreters.

## NOTES

1. In *On the Political* (2005) Mouffe argues that antagonism is inherent in all human societies—“the political” in Mouffe’s terminology refers to this dimension of antagonism. Longing for a world “beyond antagonism” reveals, according to Mouffe, “a complete lack of understanding of what is at stake in democratic politics and of the dynamics of constitution of political identities and [...] contributes to exacerbating the antagonistic potential existing in society” (Mouffe 2005, 2).
2. The renewed interest in twentieth-century Spanish history has resulted in a boom in literary works of fiction and nonfiction concerned with that past—a development of which Cercas’ book is part. In his article “Multiperspectivism in the Novels of the Spanish Civil War” Hans Lauge Hansen describes this development: “Since the turn of the millennium,” he argues, “Spain has witnessed a renewed public and political debate about Spain’s history in the twentieth century which has focused particularly on the memory of the Civil War of 1936–1939 and the immediate

post-war period. The number of publications dedicated to this issue has exploded, not only in historiographic discourse, but within all genres, including novels, biography and autobiography” (Hansen 2011, 148). The reasons for this development, Hansen suggests, include the fact that right-wing writers and historians have tried to justify the Nationalist uprising against the Republic in July 1936, and that the socialist party PSOE supported a popular movement that claimed the right to know the truth about what happened during and after the war and, after they regained power in 2004, passed the Recovery of the Historical Memory act in 2007, authorizing the exhumations of Civil War mass graves. Finally, Hansen mentions the charge brought by ex-Falangists against Spain’s leading judge, Baltazar Garzón, accusing him of breaking the 1977 amnesty law through his investigation into those responsible for the mass murders committed during the Civil War (on this last point see also Ferrándiz 2013).

3. Cercas suggests that February 23 was from the beginning tainted by fictionality. Not only is reality in relation to this event particularly poignant and full of surprising alliances and conflicts but it is also shaped by the fact that the event was televised. The coup was perhaps the only one ever recorded for television. This, Cercas proposes, guarantees its reality (as we have documentary footage showing the events as they took place) and also its unreality, as television “contaminates everything it touches with unreality, and the nature of an historic event alters in some way when it is broadcast on television, because television distorts (if not trivializes and demeans) the way we perceive things” (4). He refers to philosopher Julián Marías’ comment that the recording of the coup “deserved a prize for the year’s best film” (9) and continues: “I feel that was faint praise: they are extremely dense images, of extraordinary visual power, brimming with history and electrified by truth, that I watched many times without the spell being broken” (ibid.).
4. Bevernage and Colaert also comment that this discourse sometimes over-emphasizes “the truth revealing aspects of exhumations, while in fact, exhumations in Spain often confirm pre-existing local knowledge, or are in line with historical research” carried out earlier (Bevernage and Colaert 2014, 447).
5. “This was, after all, a man who retained an affection for German culture after having travelled to Germany in 1934, when an intense and ritualized romantic nationalism flooded the country [...] Who is to say that my grandfather had not been swept along, or at least doused, by this historic surge?” (168)
6. Being also a member of an unpopular Christian minority.
7. In the April Massacre, ten Protestant men were killed and one wounded in the space of 3 days. The perpetrators were active members of the IRA

and were never brought to justice. The shootings were accompanied by death threats against Protestants and were followed by mass migrations of Protestant fugitives. “Only six months before, in November 1921, just such scenes had taken place on the jetties of Mersin, as Cilicia’s terrified Armenians and other Christians fled the country en masse” (326).

8. According to Fintan O’Toole, “[t]he story of Joseph Dakad is vital to the story of *Blood-Dark Track*, but James O’Neill and his family are at its core [...] Dakad was guilty, perhaps, of being blinkered and insensitive. O’Neill, though he would not have accepted the term, was a terrorist” (O’Toole 2002).
9. The book was rereleased in 2009 and, after the success of the (9/11) novel *Netherland* (first published in 2008), found an audience.
10. “A dust jacket never merely surrounds a book, it also surrounds a text, and it helps decide how this text is received by readers, reviewers, and critics. With Gérard Genette’s useful terms, the paratexts and peritexts of the jacket (blurbs, book description, illustrations, etc.) can have a controlling effect on the text’s subsequent metatexts (e.g., reviews and academic articles) and thereby help determine how the critical reception gradually transforms the virginal literary text into a literary work with a certain set of connotations attached” (Andersen 2012, 254).
11. Which, as in *The Lazarus Project*, emphasizes the materiality of the photographic medium.
12. Such as an interview with Bill Henderson (architect in the Royal Engineers) in which he states that “[a]ll that cloak-and-dagger stuff and all those false identities were something of a charade” (108); the autobiography of C.T.C. Taylor, SIME agent in Adana; and the autobiographical papers of Sir Patrick Coghill (who was in command of the British Security Mission from 1942).
13. At the same time, as Andreas Huyssen has argued, it remains “important to recognize that although memory discourses appear to be global in one register, at their core they remain tied to the histories of specific nations and states. [...] The political site of memory practices is still national, not postnational or global. This does have implications for interpretive work” (Huyssen 2003, 16).
14. Rosenberg addresses a Swedish public when he makes claims regarding Sweden’s neutrality during World War II, the reception of Jewish immigrants in Sweden after the war, and the relationship between the post-war economic boom in Sweden and a war-torn Europe. But he also enters into a dialogue with a transnational memory culture in his literary engagement with the Holocaust and with testimony.
15. It is, after all, written in the “prologue” to the novel, which Cercas initially set out to write.

## REFERENCES

- Andersen, Tore Rye. 2012. Judging by the Cover. *Critique* 53 (3): 251–278.
- Bevernage, Berber, and Lore Colaert. 2014. History from the Grave? Politics of Time in Spanish Mass Grave Exhumations. *Memory Studies* 7 (4): 440–456.
- Bull, Anna Cento, and Hans Lauge Hansen. 2015. On Agonistic Memory. *Memory Studies* 9 (4): 390–404.
- Coffey, Michael. 2010. A Memoir's Second Life. *Publishers Weekly* 257: 40, October 11.
- Erll, Astrid. 2008. Literature, Film, and the Mediality of Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Erll, Astrid. 2011. Travelling Memory. *Parallax* 17 (4): 4–18.
- Ferrándiz, Francisco. 2013. Exhuming the Defeated: Civil War Mass Graves in 21st-Century Spain. *American Ethnologist* 40 (1): 38–54.
- Hansen, Hans Lauge. 2011. Multiperspectivism in the Novels of the Spanish Civil War. *Orbis Litterarum* 66 (2): 148–166.
- Harrison, Colin. 2002. What Did You Do in the War? *The New York Times*, February 17.
- Huyssen, Andreas. 2003. *Present Pasts—Urban Palimpsests and the Politics of Memory*. Stanford: Stanford University Press.
- Linneberg, Arild. 2001. *Tretten Triste Essays om Krig og Litteratur*, Oslo: Gyldendal.
- Mouffe, Chantal. 2005. *On the Political*. London: Routledge.
- Mouffe, Chantal. 2012. An Agonistic Approach to the Future of Europe. *New Literary History* 43 (4): 629–640.
- O'Toole, Fintan. 2002. Guns in the Family. *New York Review of Books*, April 11.
- Ribeiro de Menezes, Alison. 2014. *Embodying Memory in Contemporary Spain*. London: Palgrave Macmillan.
- Rothe, Anne. 2011. *Popular Trauma Culture: Selling the Pain of Others in the Mass Media*. Piscataway: Rutgers University Press.
- Rothberg, Michael. 2009. *Multidirectional Memory—Remembering the Holocaust in the Age of Decolonization*. Stanford: Stanford University Press.
- Weizman, Eyal. 2011. *The Least of all Possible Evils*. London: Verso.
- Winther, Ulrich. 2012. Images of Time. Paradigms of Memory and the Collapse of the Novel of Contemporary History in Spain. In *Memory and Its Discontents: Spanish Culture in the Early Twenty-First Century*, Hispanic Issues On Line 11 (Fall 2012), ed. Luis Martín-Estudillo and Nicholas Spadaccini, 12–34.



## Conclusion

In the final chapter of Joseph O'Neill's *Blood-Dark Track*, the narrator tells us that in 1999 he came across a particular news item from Ireland:

I read that an effort was underway to locate and exhume the remains of Catholics alleged to have been informers who had been killed by the IRA over twenty years previously. It was an awful, inconclusive business, with the families of the dead waiting in suspense as Gardai, acting on information received from republican sources, dug around bogs and beaches with no success; evidently, it was far from easy, after so many years, for anybody, even the deceased's executioners, to remember exactly where the graves were situated. The silting up and erosion of the coast, the dying and cutting and growth of trees and shrubs, the disappearance and appearance of buildings, all of these alterations had removed the landscape beyond the scope of recollection or recognition. But the urge to uncover the past, when it is a component of the inextinguishable and tormenting urge for justice, is extremely powerful, and the search for skeletons continued (O'Neill 2009, 322–323).

Today, forensic exhumations are taking place across the world to uncover the truth about past events and to identify their victims. These exhumations are sometimes carried out in relation to juridical proceedings, but are always entangled with emotional processes of mourning and memory work. This is important not just for coming to terms with the past and achieving certainty and closure but also in terms of historical justice and contemporary political struggles. In this book, I took as a point of

departure the premise that, today, the fields of cultural memory studies and forensic aesthetics are intricately connected when violent conflicts are at issue. Moreover, in a time where war and human rights violations are increasingly evaluated through scientific engagement with dead bodies, crime scenes, and mass graves, the position and the function of the living witness has to be reconsidered in relation to forensic practices.

Analysing four literary works, I have explored one specific consequence of the shift away from testimony as the dominant mode of engagement with past conflict: the appearance of a particular mode of writing in contemporary literature, which approaches the past through analysis, investigation, and archaeological digging through the traces of the past. All four “forensic” works that I have discussed introduce traces of the past alongside the narrative and explore processes of the interpretation and evaluation of evidence. Furthermore, much of the material they introduce is specifically used as evidence in the performance of a type of literary trial where the reader is established as part of the forum convening around the evidence presented. I have argued that this forensic mode

1. reframes and reconsiders the meaning and potential of testimony as a resource of the investigation and presentation to the forum;
2. insists on a continued tension between testimony and forensics;
3. explores the problems and processes of evaluating and presenting evidence; and
4. is characterized by a reflexive-agonistic mode of address.

Testimony, which may not be considered reliable in terms of precision and establishment of facts, does, in the courtroom, demand further questions or supplementary evidence. But in literature, as a genuine account of painful experience, it does not invite systematic criticism, the natural response to the victim’s voice being empathy and silence. The response to unreliability of testimony has been to shift its function from being about establishing facts to being about a vulnerable body and a hesitant voice (Felman and Laub 1992).

The object-turned-evidence, meanwhile, becomes a centre of debate, allowing violence to be soberly considered and rationally discussed. It is, nevertheless, not that simple: forensics is a powerful rhetorical tool. The scientific authority of forensics lays claim to an objectivity and detachment which tends to obfuscate the important roles of scientists and of

the political and cultural frameworks and mediascapes in which the exhumations take place. As the silent object speaks, jurors seem to be observing reality with their own eyes, forgetting that the presentation of that particular object in that particular manner is a representation of the past as well as potential proof of it. The object and the photograph signal immediacy and authenticity both in their indexical relation to the past and in their material presence in the courtroom. At the same time, the scientific ordering and analysis of these elements claims to deliver rational overview and objective truth. Consequently, the importance of human judgment and values, and of the processes of evaluation, contestation, and debate are often overlooked. Additionally, in forensic exhumations of victims' bodies, the vocabulary of testimony and trauma find an echo. Speaking on behalf of the silent victim, letting the bones speak, unearthing and confronting the traumatic past, and potentially receiving closure through reburial, forensic exhumations are legitimized and claim authority also by reference to testimony and trauma theory.

The shift of emphasis from testimony to forensics (suggested by Keenan and Weizman) has important consequences first, for cultural memory in relation to war and conflict, and second, for contemporary literature, where testimony and trauma-writing is losing prominence. I have also argued, however, that testimony should not be dismissed entirely, and that, rather than disappearing from the courtroom, from memory work and from literature, it is being reframed. This subsequently reveals the extent to which the witness remains an important juridical actor and source of information about the past. It further foregrounds the fact that forensics consistently relies on testimonial material *and* often on the discourses of historical justice and victimhood as well, which have historically been related to testimony. The criticism levelled at trauma theory could therefore also be considered in relation to organizations that carry out exhumations using arguments and narrative structures connected to trauma theory. I recommend at this stage that we distinguish not between testimony and forensics but rather consider them as functioning on different levels (testimony being one of the genres used when addressing the forum), and distinguish rather between various evidential media and how they are staged, narrated, and presented.

In relation to forensic practices, I want to stress the importance of the memory work related to them. Yet, first and foremost I want to draw attention to the rhetorical force of arguments that rely both on the

authority of science and on the vocabulary of cultural memory studies and trauma theory. As Bevernage and Colaert (2014) carefully warn us, the legacy of trauma theory may not further political and social change. This heritage may instead serve to camouflage the political aspects of exhumations or to legitimize exhumations undertaken for specific political reasons. Furthermore, I have pointed to a troubling legacy from early forensic criminology as the dark side of a contemporary forensic culture, which we ignore at our peril.

In relation to memory studies, we need to recognize (1) that there has been a shift away from testimony, and (2) that forensics plays an important role in memory work related to conflict and violence. Forensics adds another level to the dynamics of transnational memory, another vehicle for the movements of memory through culture and across borders. It also draws attention to the importance of national and juridical borders and boundaries—and to another field in which the multidirectional struggles and exchanges of cultural memory take place. The proposed shift from testimony to forensics in memory culture also leads to a critique or questioning of *postmemory*. Marianne Hirsch's concept has been widely and deservedly recognized for its important insights into the familial and intergenerational dynamics of memory. It relies, however, on a concept of trauma that is increasingly criticized for ignoring the historical and medical development of the concept, for downplaying the political and social aspects of conflict in favour of healing and closure, and for favouring an elitist and Eurocentric aesthetics of unrepresentability, indirection, and latency. Rather than dismissing Hirsch's concept, it would be valuable to consider whether it could be detached from an automatic connection to trauma. I suggest (and I think that theories of situated cognition (Sutton) and social memory (Hirst) support this suggestion) that intergenerational transmissions of memory through narrative but also through silence and bodily habits take place whether or not a traumatic memory is at stake.

Important to the forensic mode in literature is the fact that its emphasis tends to be on the political rather than primarily on the ethical implications of memory work (which is largely the case in testimony). The forensic mode invites a particular type of response from its readers, which is to engage critically in a reflection on the political implications of specific histories—not just to recognize the memory and identity of the other. Hence, it recognizes the conflictual aspects of memory work while—as we have seen in the cases of Aleksandar

Hemon and Joseph O'Neill—opening specific memory contexts to multidirectional exchange. The forensic mode makes specific claims in relation to the past which readers are invited to consider on the basis of the evidence presented. I argue that the forensic mode has much in common with Astrid Erll's *reflexive mode* but that the conflictual aspect of these works is better described if the concept is in these cases supported by Chantal Mouffe's concept of "agonism." In contrast to Erll's *antagonistic mode*, the author of the forensic work recognizes or at least considers the possible legitimacy of the claims of the opponents (Mouffe 2012, 633). I argued above that the aim of the forensic work is not to eliminate opposing points of view but to enter into political conflict with them. In this way, the forensic work could meaningfully be considered as belonging to an "agonistic mode" of remembering similar to that described by Bull and Hansen. Nevertheless, it should be noted that the forensic work is not synonymous with Bull and Hansen's concept and is primarily defined by one specific set of representational strategies such as the presentation of evidence, the reframing of testimony, the inclusion of the author, and the implicit staging of a literary trial.

While I have discussed the forensic narrative mode only in relation to literary works, I find it plausible that this mode is not necessarily limited to literature. Other narrative media such as films (one example could be Folman *Walsh with Bashir* 2008) and TV series (for example Bernard *Narcos* 2015—or Overmyer and Simon *Treme* 2010–2013) could also be relevant to consider in this context.

In this book, I have discussed works from different national contexts. This means that I have downplayed specific national particularities and literary developments, which are certainly both relevant and important. Instead of engaging with one specific national literature, I have chosen to discuss the forensic mode as a *transnational* tendency in literary engagements with conflicts of the past that has appeared since 2000, in order to foreground the transnationality of contemporary memory cultures and to shed light on a mode of writing that can be observed across national boundaries. Each of the works I have chosen as my main examples is written in the forensic mode, but they also span different genres and engage with different historical events.

Finally, I must include one further delimitation of the forensic mode that brings us back to the issue of testimony. Considering testimony from the point of view of forensics has two particular implications in relation

to contemporary literature, which I have *not* addressed in this book. One of these implications is that forensic works that include and engage with the testimonies of others are vulnerable to criticism and even scandal. As testimony's status shifts from a statement of personal experience to a type of evidence subjected to the questioning gaze of the forum's assembly, the advocate presenting this evidence is left open to criticism. In Dave Eggers' non-fictional book *Zeitoun* about the Katrina hurricane and its aftermath, the main character Abdulrahman Zeitoun is portrayed as a hero, canoeing through the flooded streets of New Orleans helping people and trapped animals wherever he can. He is suspected of looting and is imprisoned, but he is never tried and leaves prison a broken man. In the book, it is suggested that he receives this treatment because he is a Muslim, and Eggers' sober and engaging nonfiction narrative arouses the reader's sympathy and political outrage. Since then, however, the marriage of Abdulrahman Zeitoun and his wife Kathy, which was the glue that held the narrative of *Zeitoun* together, has fallen apart. Zeitoun was arrested for attacking Kathy and in August 2012, he was charged with plotting to have her murdered—a "jarring twist for the main character of the acclaimed book" as *The New York Times* has it (Brown 2012). Zeitoun was tried and found not guilty, but the portrayal of the Zeitouns and their relationship in the book is still called into question. Eggers worked closely with the Zeitoun family and they went over the manuscript several times. This leads Victoria Patterson of the *LA Review of Books* to ponder: "If you had editorial privilege over your own story, would you whitewash? Would you be tempted to be more heroic, smarter, prettier, kinder, funnier, friendlier, and on and on?" (Patterson 2012). In her review, Patterson suggests that the portrayal of Abdulrahman Zeitoun in Eggers' book lacks complexity and that "now a far more complex Zeitoun has walked off the page, without a political and moral agenda, borderless and uncontainable" (ibid.). As a source of information in relation to real events, the testimony of the Zeitouns also has implications outside the narrative, since the author proceeds, according to the paratext, through the Zeitoun Foundation to various charity organizations. Whereas a personal testimony from Kathy or Abdulrahman can hardly be challenged for what it is, Eggers' use of them as key witnesses puts him under pressure to respond to the story of the Zeitouns beyond the limits of the book.

Charles Pellegrino's *The Last Train from Hiroshima* faced a related problem. Pellegrino promotes his work as genuine research emphasizing the—now contested—fact that he has a PhD from Victoria University in Wellington, New Zealand, as well as the fact that he cooperated closely

with his various sources. Thus, when a key witness from *The Last Train from Hiroshima*, Joseph Fuoco, turned out to have lied about his presence in *Necessary Evil*, the photographic escort plane that accompanied the aircraft that dropped the nuclear bomb over Hiroshima, this challenged the story on a fundamental level. This was so much the case that the publishing house, Henry Holt and Company, decided to recall the book. The reliance on the testimony within the forensic work re-establishes the problem of the trustworthiness of witnesses, potentially causing scandal outside the frame of the book.

Another implication in relation to contemporary literature is the emergence of another kind of forensic writing, which is in fact *testimony*. Among the forensic works are several that belong to the forensic mode but where the object of the author-investigator's attention is the author himself. In these "forensic testimonies," the author of the testimony explores his own voice and history through archaeological digging through various sources and through careful analysis. It seems that cultural distrust of testimony has infected the authors themselves, urging them to consider their own speech, and has led to the emergence of a reworking or a subgenre of testimony. Examples of this type of writing includes Siri Hustvedt's *The Shaking Woman*, Lars Bedsted Gommessen's *Alt Blev Hvidt*, Josef Haslinger's *Tsunami: A Report from Phi Phi Island* (2011), and Maja Lee Langvad's *Find Holger Danske* (2006) and *Hun er Vred* (2014). In his book, Haslinger explores his own experience on Phi Phi Island in Thailand during the tsunami of December 2004. He reflects on his own memory and the troubles he has remembering the event. Yet he scrutinizes every remembered fragment and relies on the memories of his family and on local sources as he tries to piece together what really happened. Haslinger's narrative engages in a very direct way with the fragmented memories of a traumatic event and faces the problem head on by trying to fill the gaps through investigation. The "report" is written entirely in lower-case letters because of a hand injury Haslinger sustained during the tsunami, which made it difficult to type capitals. Thus, a physical injury sustained in perhaps the most dramatic moments of the story leaves traces on the page. Rather than evoking and transmitting the broken voice of trauma, however, Haslinger tries to overcome it.

The aim of this book has been to shed light on a contemporary mode of memory writing. This mode differs from earlier ways of writing about historical conflicts and resonates with an increasingly "forensic" memory culture, where (1) testimony is challenged by scientific or analytical approaches to events in the past, and (2) addressing the question of historical truth

becomes even more important in the political struggles over recognition and identity through memory work. I have drawn three main conclusions.

1. First, that while we have seen a shift from testimony towards forensics, testimony is in fact still a prominent presence both in the forensic work and in the discourse surrounding forensic exhumations of victims of violence. While forensics proposes a distance from the vicissitude of testimony, forensic discourse still relies on a vocabulary from trauma theory, which suggests (1) a concern with healing old wounds rather than with promoting future justice and (2) an unrecognized entanglement of forensics with human subjectivity and the very discourses of trauma and testimony to which it responds.
2. Second, that the forensic work poses a challenge to this forensic culture by insisting on the value of human judgment and on the complexities of interpretation and presentation of evidence. While the forensic literary mode does distance itself from testimony and trauma-writing and responds to a historical position “after testimony,” it still engages with conflicted and painful pasts in a personal, nuanced, and engaging way. The forensic works respond to testimony, then, but also to a contemporary forensic culture *after* testimony which often overlooks the fact that the presentation of the silent object in a particular manner is a representation of the past as well as proof of it. In the forensic mode, the necessity and complexity of human values, experience, and interpretation in relation to past events is recognized and thus the forensic mode in literature is not just a symptom of a forensic memory culture but also a reaction to it.
3. Third, the forensic mode’s insistent—and insistently artistic—engagement with historical realities places the works within a political field where a reader’s judgment cannot limit itself to the aesthetic quality of the work. While the political function of testimony in recent history should not be underestimated, the theorization of testimony in relation to trauma by, for instance, Felman and Laub, and Caruth has led to an “ethical overdetermination” of testimony. The forensic mode comes after testimony both chronologically in relation to the Holocaust and also in the sense that it responds to the criticism recently levelled at testimony by engaging agonistically with issues of the past and their meanings in the present.

Today, the literary market is dominated by crime fiction and biographies. In other genres authors experiment with genre hybrids and



intermediality. Forensic works could be read in either of these contexts. Nonetheless, I find that exploring the books from the point of view of the intermediate field of memory studies and forensics better acknowledges what the books are really about. Forensic literature, I contend, provides a viable suggestion as to how we can narrate histories that are urgently important to remember, evaluate, and debate, but that are reachable only through the interpretation and mediation of traces and through unstable testimonies.

## REFERENCES

- Bevernage, Berber, and Lore Colaert. 2014. History from the Grave? Politics of Time in Spanish Mass Grave Exhumations. *Memory Studies* 7 (4): 440–456.
- Brown, Robbie. 2012. Katrina Hero Facing Charges in New Orleans. *The New York Times*, August 9, 2012.
- Felman, Shoshana, and Dori Laub. 1992. *Testimony—Crises of Witnessing in Literature, Psychoanalysis, and History*. New York: Routledge.
- Haslinger, Josef. 2011. *Tsunami: A Report from Phi Phi Island*, Riverside. California: Ariadne Press
- Langvad, Maja Lee. 2006. *Find Holger Danske*. Copenhagen, Denmark: Borgen.
- Langvad, Maja Lee. 2014. *Hun er Vred*. Cardiff: South Glamorgan: Gladiator
- Mouffe, Chantal. 2012. An Agonistic Approach to the Future of Europe. *New Literary History* 43 (4): 629–640.
- O'Neill, Joseph. 2009. *Blood-Dark Track*. Fourth Estate: London
- Patterson, Victoria. 2012. Refusal to Cooperate: The Afterlife of *Zeitoun*. *L. A. Review of Books*, December 7, 2012.

## Film and Television Series

- Bernard, Carlo, Chris Brancato, Doug Miro, and Paul Eckstein. 2015. *Narcos*, Gaumont International Television.
- Folman, Ari. 2008. *Walz with Bashir*. Bridgit Folman Film Gang, Les Films d'Ici, Razor Film Produktion GmbH, in Co-production with Arte France and ITVS, in collaboration with Noga Communication, New Israeli Foundation for Cinema and Television, Medienboard Berlin-Brandenburg, Israel Film Fund and Hot Telecommunication, and in Association with YLE Teema, Télévision Suisse-Romande (TSR), Radio Télévision Belge Francophone (RTBF), Special Broadcasting Service (SBS).
- Overmyer, Eric, and David Simon. 2010–2013. *Treme*. Blown Deadline Productions and HBO Entertainment.

## BIBLIOGRAPHY

- Agamben, Giorgio. 1999. *Remnants of Auschwitz—The Witness and the Archive*. New York: Zone Books.
- Améry, Jean. 1980. *At the Mind's Limits*. Bloomington, IN: Indiana University Press.
- Andersen, Tore Rye. 2012. Judging by the Cover. *Critique* 53 (3): 251–278.
- Arendt, Hannah. 2006. *Eichmann in Jerusalem—A Report on the Banality of Evil*. New York: Penguin Books.
- Assmann, Jan. 2008. Communicative and Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Banita, Georgiana. 2012. *Plotting Justice—Narrative Ethics and Literary Culture after 9/11*. Lincoln: University of Nebraska Press.
- Barthes, Roland. 2000. *Camera Lucida*. London: Vintage.
- Bevernage, Berber. 2012. *History, Memory and State-Sponsored Violence*. New York: Routledge.
- Bevernage, Berber, and Lore Colaert. 2014. History from the Grave? Politics of Time in Spanish Mass Grave Exhumations. *Memory Studies* 7 (4): 440–456.
- Bilsky, Leora. 2014. The Eichmann Trial: Towards a Jurisprudence of Eyewitness Testimony of Atrocities. *Journal of International Criminal Justice* 12 (1): 27–57.
- Bigsby, Christoffer. 2006. *Remembering and Imagining the Holocaust: The Chain of Memory*. New York: Cambridge University Press.
- Bond, Lucy. 2015. *Frames of Memory after 9/11*. UK: Palgrave Macmillan.
- Brain, Robert, and Daniel Broderick. 1992. The Derivative Relevance of Demonstrative Evidence: Charting its Proper Evidentiary Status. *University of California Davis Law Review* 25: 4.

- Brooks, Peter, and Paul Gewirtz. 1996. *Law's Stories—Narrative and Rhetoric in the Law*. New Haven: Yale University Press.
- Brown, Robbie. 2012. Katrina Hero Facing Charges in New Orleans. *The New York Times*, August 9, 2012.
- Buelens, Gert, Sam Durrant, and Robert Eaglestone (eds.). 2014. *The Future of Trauma Theory*. London: Routledge.
- Bull, Anna Cento, and Hans Lauge Hansen. 2015. On Agonistic Memory. *Memory Studies* 9 (4): 390–404.
- Burney, Ian. 2013. Our Environment in Miniature: Dust and the Early Twentieth-Century Forensic Imagination. *Representations* (Berkeley) 2013 Winter 121(1): 31–59.
- Burney, Ian, and Neil Pemberton. 2013. Making Space for Criminalistics: Hans Gross and fin-de-siècle CSI. *Studies in History and Philosophy of Biological and Biomedical Sciences* 44 (1): 16–25.
- Butler, Judith. 2006. *Precarious Life—The Powers of Mourning and Violence*. London: Verso.
- Butler, Judith. 2010. *Frames of War—When is Life Grievable*. London: Verso.
- Caruth, Cathy. 1996. *Unclaimed Experience*. Baltimore: Johns Hopkins University Press.
- Caruth, Cathy (ed.). 1995. *Trauma: Explorations in Memory*. Baltimore: Johns Hopkins University Press.
- Cercas, Javier. 2004. *The Soldiers of Salamina*. London: Bloomsbury.
- Cercas, Javier. 2012. *The Anatomy of a Moment*. London: Bloomsbury.
- Cercas, Javier. 2014. *Anatomia de un Instante*. Barcelona: Debolsillo.
- Cesari, Chiara De, and Ann Rigney. 2014. Introduction. In *Transnational Memory: Circulation, Articulation, Scales*, ed. C. De Cesari and A. Rigney. Berlin: Walter de Gruyter.
- Çetin, Fethiye. 2012. *My Grandmother: An Armenian-Turkish Memoir*. New York: Verso.
- Chakravarti, Sonali. 2008. More than ‘Cheap Sentimentality’: Victim Testimony at Nuremberg, the Eichmann Trial and Truth Commissions. *Constellations* 15 (2): 223–235.
- Clark, Andy. 2001. *Being There—Putting Brian, Body, and World Together Again*. Cambridge, MA: MIT Press.
- Clark, Andy, and David Chalmers. 1998. The Extended Mind. *Analysis* 58: 7–19.
- Clausbeck-nielsen.net. 2008. Selvmordsaktionen, Gyldendal.
- Coffey, Michael. 2010. A Memoir’s Second Life. *Publishers Weekly* 257: 40, October 11.
- Craps, Stef. 2010. Wor(l)d of Grief: Traumatic Memory and Literary Witnessing in Cross-Cultural Perspective. *Textual Practice* 24 (1): 51–68.
- Crossland, Zoë. 2000. Buried Lives. *Archaeological Dialogues* 7 (2): 146–159.

- Crossland, Zoë. 2009. Of Clues and Signs: The Dead Body and its Evidential Traces. *American Anthropologist* 111 (1): 69–80.
- Damsgård, Puk. 2015. *Ser du Månen, Daniel*. Copenhagen: Politikens Forlag.
- Daston, Lorraine, and Peter Gallison. 2010. *Objectivity*. New York: Zone Books.
- Desbois, Patrick. 2008. *Holocaust by Bullets*. New York: St. Martin's Griffin.
- van Dijck, José. 2007. *Mediated Memories in the Digital Age*. Stanford: Stanford University Press.
- Dolin, Kieran. 2011. *A Critical Introduction to Law and Literature*. Cambridge: Cambridge University Press.
- Dolin, Kieran. 1999. *Fiction and the Law—Legal Discourse in Victorian and Modernist Literature*. Cambridge: Cambridge University Press.
- Domanska, Eva. 2017 Forthcoming. Dehumanization Through Decomposition and the Force of Law. In *Mapping the 'Forensic Turn': The Engagements with Materialities of Mass Death in Holocaust Studies and Beyond*, ed. Z. Dziuban. Vienna: New Academic Press.
- Douzinas, Costas, and Lydia Nead. 1999. *Law and the Image—The Authority of Art and the Aesthetics of Law*. Chicago: University of Chicago Press.
- Dziuban, Zuzanna (ed.). 2017. *Mapping the 'Forensic Turn': The Engagements with Materialities of Mass Death in Holocaust Studies and Beyond*. Vienna: New Academic Press. Forthcoming.
- Eaude, Michael. 2011. *The Anatomy of a Moment*, trans. Javier Cercas and ed. Anne McLean, review in *The Independent* February 4.
- Eggers, Dave. 2010. *Zeitoun*. London: Penguin Books.
- Erll, Astrid. 2008. Literature, Film, and the Mediality of Cultural Memory. In *Cultural Memory Studies: An International and Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Erll, Astrid. 2009. Narratology and Cultural Memory Studies. *Narratologia: Narratology in the Age of Cross-Disciplinary Narrative Research*. Berlin: Walter de Gruyter.
- Erll, Astrid. 2011a. *Memory in Culture*. Basingstoke: Palgrave Macmillan.
- Erll, Astrid. 2011b. Travelling Memory. *Parallax* 17/4.
- Felman, Shoshana, and Dori Laub. 1992. *Testimony—Crises of Witnessing in Literature, Psychoanalysis, and History*. New York: Routledge.
- Ferllini, R. 2003. The Development of Human Rights Investigations Since 1945. *Science and Justice* 43 (4): 219–224.
- Ferllini, R. 2007. *Forensic Archaeology and Human Rights Violations*. Springfield, IL: Charles C. Thomas.
- Ferrándiz, Francisco. 2013. Exhuming the Defeated: Civil War Mass Graves in 21st-Century Spain. *American Ethnologist* 40 (1): 38–54.
- Ferrándiz, Francisco and Alejandro Baer. 2008. Digital Memory: The Visual Recording of Mass Grave Exhumations in Contemporary Spain. *Forum Qualitative Sozialforschung* 9 (3).

- Frank, Arthur. 2013. *The Wounded Storyteller*. Chicago: University of Chicago Press.
- Frank, Lawrence. 2003. *Victorian Detective Fiction and the Nature of Evidence*. Basingstoke: Palgrave Macmillan.
- Gardner, H. Wayne. 1996. Explanations and Illustrations: Demonstrative Evidence in the Criminal Court-room. *Criminal Law Quarterly* 38: 4.
- Gibbs, Alan. 2014. *Contemporary American Trauma Narratives*. Edinburgh: Edinburgh University Press.
- Gommesen, Lars Bedsted. 2003. *Alt blev Hvidt*. Aarhus: Turbine Forlaget.
- Gould, Stephen Jay. 1997. *The Mismeasure of Man*. London: Penguin Books.
- Gould, Richard A. 2007. *Disaster Archaeology*. Salt Lake City: University of Utah Press.
- Greve, Anniken. 2012. Knowing little, adding nothing: the ethics and aesthetics of remembering in Esben Søbeye's *Kathe, Always Lived in Norway*. In *After Testimony —The Ethics and Aesthetics of Holocaust Narratives for the Future*, ed. Lothe, Jakob, Susan Rubin Suleiman and James Phelan (eds.). Columbus: The Ohio state University Press.
- Hacking, Ian. 1990. *The Taming of Chance*. Cambridge: Cambridge University Press.
- Hansen, Hans Lauge. 2011. Multiperspectivism in the Novels of the Spanish Civil War. *Orbis Litterarum* 66 (2): 148–166.
- Harrison, Colin. 2002. What Did You Do in the War? *The New York Times*, February 17.
- Hasan, Marouf Jr. 2001. The Advent of Critical Memory Studies and the Future of Legal Argumentation. *Argumentation and Advocacy* 38 (1): 40.
- Haslinger, Josef. 2011. *Tsunami: A Report from Phi Phi Island*, Riverside. California: Ariadne Press.
- Hedrick, Charles. 2000. *History and Silence*. Austin: University of Texas Press.
- Hemon, Aleksandar. 2008. *The Lazarus Project*. New York: Picador.
- Herman, Judith. 1997. *Trauma and Recovery*. New York: Basic Books.
- Hertmans, Stefan. 2016. *War and Turpentine*. New York: Pantheon.
- Hirsch, Marianne. 2008. The Generation of Post-Memory. *Poetics Today* 29 (1): 103–128.
- Hirsch, Marianne. 2012. *The Generation of Postmemory—Writing and Visual Culture After the Holocaust*. New York: Columbia University Press.
- Hirst, William and Gerald Echterhoff. 2012. Remembering in Conversations: The Social Sharing and Reshaping of Memories. *Annual Review of Psychology* 63: 55–79.
- Horn, David G. 2003. *The Criminal Body—Lombroso and the Anatomy of Deviance*. New York: Routledge.

- Horstkotte, Silke. 2008. Photo-Text Topographies: Photography and the Representation of Space in W.G. Sebald and Monika Maron. *Poetics Today* 29 (1): 49–78.
- Horstkotte, Silke, and Nancy Pedri. 2008. Introduction: Photographic Interventions. *Poetics Today* 29 (1): 1–29.
- Hoskins, Andrew. 2011. Media, Memory, Metaphor: Remembering and the Connective Turn. *Parallax* 17: 4.
- Hustvedt, Siri. 2009. *The Shaking Woman*. New York: Henry Holt and Company.
- Hutcheon, Linda. 2005. *A Poetics of Postmodernism: History, Theory, Fiction*. New York: Routledge.
- Huyssen, Andreas. 1995. *Twilight Memories—Marking Time in a Culture of Amnesia*. London: Routledge.
- Huyssen, Andreas. 2003. *Present Pasts—Urban Palimpsests and the Politics of Memory*. Stanford: Stanford University Press.
- Huyssen, Andreas. 2006. Nostalgia for Ruins. *Grey Room* 23: 6–21.
- Huyssen, Andreas. 2011. International Human Rights and the Politics of Memory: Limits and Challenges. *Criticism* 53 (4): 607–624.
- Jaggi, Maya. 2001. Recovered Memories. The Guardian Profile: W. G. Sebald. *The Guardian* 22 (9).
- Jasanoff, Sheila. 2001. Juridical Fictions: The Supreme Court's Quest for Good Science. *Society* 38 (4): 27–36.
- Jessee, Erin. 2012. Promoting Reconciliation through Exhuming and Identifying Victims in the Rwandan Genocide. In CIGI-Africa Discussion Paper Series 4, Africa Initiative and The Centre for International Governance Innovation.
- Judt, Tony. 2009. *Reappraisals—Reflections on the Forgotten 20th Century*. New York: Penguin Books.
- Kansteiner, Wulf. 2004. Genealogy of a Category Mistake: A Critical Intellectual History of the Cultural Trauma Metaphor. *Rethinking History* 8 (2): 193–221.
- Kansteiner, Wulf, and Harald Weilnböck. 2008. Against the Concept of Trauma (or How I Learned to Love the Suffering of Others without the Help of Psychotherapy). In *Cultural Memory Studies—An Interdisciplinary Handbook*, ed. Astrid Erll and Ansgar Nünning. Berlin: Walter de Gruyter.
- Keenan, Thomas, and Eyal Weizman. 2012. *Mengele's Skull*. Portikus: Sternberg Press.
- Keenan, Thomas. 2014. Getting the Dead to Tell Me What Happened. In *Forensis—The Architecture of Public Truth*, ed. Forensic Architecture. Berlin: Sternberg Press.

- Keren, Daniel, Jamie McCarthy, and Harry Mazal. 2004. The Ruins of the gas chambers: A forensic investigation of crematoriums at Auschwitz I and Auschwitz-Birkenau. *Holocaust and Genocide Studies*, 18 (1): 68–103.
- Kertész, Imre. 2006. *Fateless*. London: Vintage Books.
- Knudsen, Britta Timm. 2011. Thanatourism: Witnessing Difficult Pasts. *Tourist Studies* 11 (1): 55–72.
- Koppel, Jonathan and William Hirst. 2010. The Role of Conversations in Shaping Individual and Collective Memory, Attitudes and Behavior. In *Memory and the Future—Transnational Politics, Ethics and Society*, ed. Y. Gutman, A. Brown and A. Sodaro. Basingstoke: Palgrave Macmillan.
- Krejberg, Kasper Green. 2011. *Krigens Poetiske Potentialer—Jünger, Sebald og Kampen og Kroppen i Moderne Krigslitteratur*. Ph.D. thesis, Graduate School of Arts, Aarhus University.
- Krmpotich, Cara, Joost Fontein, and John Harries. 2010. The Substance of Bones: The Emotive Materiality and Affective Presence of Human Remains. *Journal of Material Culture* 15 (4): 371–384.
- Lahoud, Adrian. 2014. Floating Bodies. In *Forensis*, eds. Forensic Architecture. Berlin: Sternberg Press.
- Langer, Lawrence L. 1996. *Admitting the Holocaust*. Cary: Oxford University Press.
- Langvad, Maja Lee. 2006. *Find Holger Danske..* Copenhagen, Denmark: Borgen.
- Langvad, Maja Lee. 2014. *Hun er Vred*. Cardiff: South Glamorgan: Gladiator
- Latour, Bruno. 1987. *Science in Action*. Cambridge, MA: Harvard University Press.
- Levi, Primo. 2006. *If This is a Man—The Truce*. Abacus.
- Levi, Primo. 1988. *The Drowned and the Saved*. New York: Summit Books.
- Levy, Daniel and Natan Sznaider. 2002. Memory unbound: The Holocaust and the formation of cosmopolitan memory. *European Journal of Social Theory*, 5: 87–106.
- Linneberg, Arild. 2001. *Tretten Triste Essays om Krig og Litteratur*. Oslo: Gyldendal.
- Lipstadt, Deborah. 1994. *Denying the Holocaust - The Growing Assault on truth and memory*. New York: Plume by Penguin Books.
- Lipstadt, Deborah. 2011. *The Eichmann Trial*. New York: Schocken.
- Lombroso, Cesare. 2008. *Criminal Man*. Durham: Duke University Press.
- Lothe, Jakob, Susan Rubin Suleiman, and James Phelan. 2012. *After Testimony—The Ethics and Aesthetics of Holocaust Narratives for the Future*. Columbus: The Ohio state University Press.
- Luckhurst, Roger. 2008. *The Trauma Question*. London: Routledge.

- Markowitsch, Hans J. 2008. Cultural Memory and the Neurosciences. In *Cultural Memory Studies—An Interdisciplinary Handbook*, ed. Astrid Erll, and Ansgar Nünning. Berlin: Walter De Gruyter.
- Mendelsohn, Daniel. 2008. *The Lost*. London: Harper Perennial.
- Mendelsohn, Daniel. 2012. *De Mistede*. Copenhagen: Gyldendal.
- Mitchell, W.J.T. 1994. *Picture Theory*. Chicago: University of Chicago Press.
- Mnookin, Jennifer L. 2008. The Image of Truth: Photographic Evidence and the Power of Analogy. *Yale Journal of Law and the Humanities* 10: 1.
- Moretti, Franco. 2000. The Slaughterhouse of Literature. *Modern Language Quarterly* 61 (1): 207–227.
- Mouffe, Chantal. 2005. *On the Political*. London: Routledge.
- Mouffe, Chantal. 2012. An Agonistic Approach to the Future of Europe. *New Literary History* 43 (4): 629–640.
- Moyn, Samuel. 2012a. *The Last Utopia*. Cambridge, MA: First Belknap Press of Harvard University Press.
- Moyn, Samuel. 2012b. Substance, Scale, and Salience: The Recent Historiography of Human Rights. *Annual Review of Law and Social Science* 8: 123–140.
- Nielsen, Madame. 2016. *Invasjonen. En fremmed i flygtningestømmen*. Oslo: Gyldendal.
- Nikolic, Ivana. 2015. Activists Install Srebrenica Memorial in Belgrade. *Balkan Transitional Justice*, July 8.
- O'Neill, Joseph. 2009. *Blood-Dark Track*. London: Fourth Estate.
- O'Toole, Fintan. 2002. Guns in the Family. *New York Review of Books*, April 11.
- Olick, Jeffrey K. 2007. *The Politics of Regret—On Collective Memory and Historical Responsibility*. New York: Routledge.
- Orvell, Miles. 1989. *The Real Thing: Imitation and Authenticity in American Culture, 1880–1940*. Chapel Hill: The University of North Carolina Press.
- Pamuk, Orhan. 2006. *Istanbul – Memories and the City*. London: Faber and Faber.
- Patterson, Victoria. 2012. Refusal to Cooperate: The Afterlife of Zeitoun. *L. A. Review of Books*, December 7, 2012.
- Pellegrino, Charles. 2010. *The Last Train from Hiroshima*. New York: Henry Holt and Company.
- Pendas, Devin O. 2006. *The Frankfurt Auschwitz Trial, 1963–1965. Genocide, History, and the Limits of The Law*. Cambridge: Cambridge University Press.
- Pendas, Devin O. 2000. 'I didn't know what Auschwitz was': The Frankfurt Auschwitz Trial and the German Press, 1963–1965. *Yale Journal of Law and the Humanities* 12: 397.
- Phelan, James. 2009. Teaching Narrative as Rhetoric. *Pedagogy: Critical Approaches to Teaching Literature, Language, Composition, and Culture* 10 (1): 217–228.



- Pison, Ignacio Martinez de. 2009. *To Bury the Dead*. Cardigan: Parthian.
- Radstone, Susannah. 2011. What place is this? Transcultural memory and the locations of memory studies. *Parallax* 17: 4.
- Rafter, Nicole Hahn. 1997. *Creating Born Criminals*. Urbana: University of Illinois Press.
- Rafter, Nicole Hahn. 2008. *The Criminal Brain*. New York: New York University Press.
- Ranciere, Jacques. 2001. Ten Theses on Politics. *Theory & Event* 5: 3.
- Reading, Anna. 2011. Memory and Digital Media: Six Dynamics of the Global Memory Field. In *On Media Memory: Collective Memory in a New Media Age*, eds. M. Neiger, M. Meyers, and O. Zandberg. Basingstoke: Palgrave Macmillan.
- Reading, Anna. 2014. Seeing Red: A Political Economy of Digital Memory. *Media, Culture and Society* 36: 748.
- Renshaw, Layla. 2011. *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War*. Walnut Creek, CA: Left Coast Press.
- Ribeiro de Menezes, Alison. 2014. *Embodying Memory in Contemporary Spain*. Basingstoke: Palgrave Macmillan.
- Rigney, Ann. 2012. Memory by Numbers: The Ethics and Aesthetics of Counting. *Keynote at Mnemonics: Aesthetics and Ethics of Memory, graduate seminar*, 20–22 September 2012.
- Rosenberg, Göran. 2013a. *Ett Kort Uppehåll på Vägen från Auschwitz*. Falun: Bonnier.
- Rosenberg, Göran. 2013b. Sweden: The Reluctant Nation. In Fieschi, Morris and Caballero (eds.) *Populist Fantasies: European revolts in context*, Counterpoint.
- Rosenberg, Göran. 2014. *A Brief Stop on the Road from Auschwitz*. London: Granta Publications.
- Roth, Walter, and Joe Kraus. 1998. *An Accidental Anarchist*. San Francisco: Rudi Publishing.
- Rothberg, Michael. 2009. *Multidirectional Memory—Remembering the Holocaust in the Age of Decolonization*. Stanford: Stanford University Press.
- Rothberg, Michael. 2003. Memory Bound: The Implicated Subject and the Legacies of Slavery. Lecture at the Mnemonics Conference *Memory Unbound: Transcultural, Transgenerational, Transmedial, and Transdisciplinary Dynamics of Memory*, Ghent, 10 September 2013.
- Rothberg, Michael. 2014. Multidirectional memory in migratory settings: The case of Post-Holocaust Germany. In *Transnational Memory: Circulation, Articulation, Scales*, ed. Cesari and Rigney, Berlin: Walter de Gruyter.
- Rothe, Anne. 2011. *Popular Trauma Culture: Selling the Pain of Others in the Mass Media*. Piscataway: Rutgers University Press.

- Sanford, Victoria. 2003. *Buried Stories: Truth and Human Rights in Guatemala*. Basingstoke: Palgrave Macmillan.
- Schabas, William. 2013. The Contribution of the Eichmann Trial to International Law. *Leiden Journal of International Law* 26 (3): 667–699.
- Scholz, Susanne. 2013. *Phantasmatic Knowledge—Visions of the Human and the Scientific Gaze in English Literature, 1880–1930*. Universitätsverlag Winter: Heidelberg.
- Schramm, Jan-Melissa. 2006. *Testimony and Advocacy in Victorian Law, Literature, and Theology*. Cambridge: Cambridge University Press.
- Schuppli, Susan. 2014. Entering evidence: Cross-examining the court records of the ICTY. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press, 279–316.
- Sebald, W.G. 2002. *Vertigo*. London: Vintage Books.
- Sebald, W.G. 2002. *The Emigrants*. London: Vintage Books.
- Sebald, W.G. 2002. *The Rings of Saturn*. London: Vintage Books.
- Sebald, W. G. 2003. *Austerlitz*. Frankfurt am Main: Fischer Verlag.
- Sebald, W.G. 2004. *On the Natural History of Destruction*. New York: The Modern Library.
- Sebald, W.G. 2011. *Austerlitz*. London: Penguin Books.
- Semprún, Jorge. 2005. *The Long Voyage*. New York: The Overlook Press.
- Semprún, Jorge. 1998. *Literature or Life*. New York: Penguin Books.
- Shephard, Ben. 2002. *A War of the Nerves: Soldiers and Psychiatrists 1914–1994*. London: Pimlico.
- Siegel, Greg. 2011. The Similitude of the Wound. *Cabinet* 43: 95–100.
- Silverblatt, Michael. 2010. The poem of an Invisible Subject. In *The Emergence of Memory. Conversations with W. G. Sebald*, ed. Lynne Sharon Schwartz. New York: Seven Stories Press.
- Sontag, Susan. 2003. *Regarding the Pain of Others*. New York: Picador.
- Spiegelman, Art. 2003. *The Complete Maus*. London: Penguin Books.
- Stone, Charles B., Amanda J. Barnier, John Sutton, and William Hirst. 2009. Building Consensus About the Past: Schema Consistency and Convergence in Socially Shared Retrieval-induced Forgetting. *Memory* 18 (2): 170–184.
- Stonebridge, Lyndsey. 2014. *The Judicial Imagination: Writing After Nuremberg*. Edinburgh: Edinburgh University Press.
- Stover, Eric, and Gilles Peress. 1998. *The Graves—Srebrenica and Vukovar*. Zurich: Scalo.
- Strange, Deryn, Seema Clifasefi, and Maryanne Garry. 2007. False Memories. In *Do Justice and Let the Sky Fall: Elizabeth Loftus and Her Contributions to Science, Law, and Academic Freedom*, ed. Maryanne Garry and Harlene Hayne. Mahwah, New Jersey: Lawrence Erlbaum Associates, Publishers.
- Sturken, Marita. 2007. *Tourists of History—Memory, Kitsch, and Consumerism from Oklahoma City to Ground Zero*. Durham: Duke University Press.

- Sutton, John. 2005. Memory and the extended mind: embodiment, cognition, and culture. *Cognitive Processing* 6: 223–226.
- Sutton, John. 2008. Remembering. In *Cambridge Handbook of Situated Cognition*, ed. P. Robbins and M. Aydede. Cambridge: Cambridge University Press.
- Sutton, John, Celia B. Harris, Paul G. Keil and Amanda Barnier. 2010. The psychology of memory, extended cognition, and socially distributed remembering. Springer Science+Business Media B.V. Available at: <http://hdl.handle.net/1959.14/120064>.
- Szentivanyi, Christina M. E. 2006. W. G. Sebald and structures of testimony and trauma: There are spots of mist that no eye can dispel. In *W. G. Sebald: History - Memory - Trauma*, eds. Denham, Scott and Mark McCulloh. Berlin: Walter de Gruyter.
- Søbye, Esben. 2005. *Kathe, alltid vert i Norge*. Oslo: Forlaget Oktober.
- Thomas, Ronald R. 2003. *Detective Fiction and the Rise of Forensic Science*. Cambridge: Cambridge University Press.
- Thomsen, Mads Rosendahl. 2008. *Mapping World Literature*. London: Continuum.
- Todorov, Tzvetan. 1977. *The Poetics of Prose*. Oxford: Basil Blackwell.
- Torres, Francesc. 2007. *Dark is the Room Where We Sleep*. Barcelona: ACTAR.
- Verdery, Katherine. 1999. *The Political Lives of Dead Bodies—Reburial and Socialist Change*. New York: Columbia University Press.
- Ward, Wendy. 2011. Does Autobiography Matter? Fictions of the Self in Aleksandar Hemon's The Lazarus Project. *Brno Studies in English* 37 (2): 185–199.
- Wagner, Julia. 2010. The Truth About Auschwitz: Prosecuting Auschwitz Crimes with the Help of Survivor Testimony. *German History* 28 (3): 343–357.
- Wagner, Sarah E. 2008. *To Know Where He Lies: DNA Technology and the Search for Srebrenica's Missing*. Berkeley: University of California Press.
- Walsh, Richard. 2007. *The Rhetoric of Fictionality*. Columbus: Ohio State University Press.
- Walsh, Richard. 2010. Person, Level, Voice—A Rhetorical Reconsideration. In *Postclassical Narratology—Approaches and Analyses*, ed. Jan Alber, and Monika Fludernik. Columbus: The Ohio State University Press.
- Weizman, Eyal. 2011. *The Least of all Possible Evils*. London: Verso.
- Weizman, Eyal. 2013. The Image is the Bone. In *The Human Snapshot*, ed. Thomas Keenan, and Tirdad Zolghadr. Berlin: Sternberg Press.
- Weizman, Eyal. 2014a. Introduction: Forensics. In *Forensis*, ed. Forensic Architecture. Berlin: Sternberg Press.
- Weizman, Eyal. 2014b. Introduction, Part II: Matter against Memory. In *Forensis*, Berlin: Sternberg Press and Forensic Architecture.

- Weizman, Eyal. 2014c. The architecture of Negation: An interview with Robert Jan van Pelt. In *Forensis*, Berlin: Sternberg Press and Forensic Architecture.
- Wertch, James. 2002. *Voices of Collective Remembering*. Cambridge: Cambridge University Press.
- White, James Boyd. 1985. Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life. *The University of Chicago Law Review* 52 (3): 684–702.
- Wieviorka, Annette. 2006a. *The Era of the Witness*. Ithaca, NY: Cornell University Press.
- Wieviorka, Annette. 2006b. The Witness in History. *Poetics Today* 27: 2.
- Winther, Ulrich. 2012. Images of Time. Paradigms of Memory and the Collapse of the Novel of Contemporary History in Spain. In *Memory and Its Discontents: Spanish Culture in the Early Twenty-First Century*, Hispanic Issues On Line 11 (Fall 2012), ed. Luis Martín-Estudillo and Nicholas Spadaccini, 12–34.
- Wittmann, Rebecca E. 2002. Telling the Story: Survivor Testimony and the Narration of the Frankfurt Auschwitz Trial. *Fritz Stern Dissertation Prize Presentation*, November 15.
- Wittmann, Rebecca E. 2003. Telling the Story: Survivor Testimony and the Narration of the Frankfurt Auschwitz Trial. *Fritz Stern Dissertation Prize Presentation*, November 15 2002, in Bulletin of the GHI Washington 32, Spring 2003.
- Wittmann, Rebecca E. 2005. *Beyond Justice—The Auschwitz Trial*. Cambridge, MA: Harvard University Press.

## WEB PAGES

- Bertrand Russell Peace Foundation Ltd. 2012. Jean-Paul Sartre—Inaugural Statement, Stockholm, May 1967. <http://raetowest.org/vietnam-war-crimes/russell-vietnam-war-crimes-tribunal-1967.html#v1101-Sartre>. Accessed 26 Dec 2016.
- Department of Justice and Constitutional Development. 2009. The TRC Final Report, vol. 1, chapter 5. <http://www.justice.gov.za/trc/report/>. Accessed 24 Aug 2015.
- Forensic Architecture. 2011–2015. <http://www.forensic-architecture.org>. Accessed 26 Dec 2016.
- GenomeWeb. 2014. DNA Mugshots. Blog Entry, March 25, 2014. <https://www.genomeweb.com/blog/dna-mugshots>. Accessed 27 Aug 2015.
- Hemon, Aleksandar and Velibor Bozovic—The Lazarus Project. <http://aleksandarhemon.com/lazarus/> Accessed 25 Nov 2016.

- Narratively. 2012–2016. Palomares, Álvaro Minguito—Chasing the Ghosts of Franco, April 1, 2014. <http://narrative.ly/stories/chasing-the-ghosts-of-franco/>. Accessed 15 Aug 2015.
- National September 11 Memorial & Museum. 2016. Remains Repository at the World Trade Center Site. <http://www.911memorial.org/remains-repository-world-trade-center-site>. Accessed 26 Dec 2016.
- Nobel media AB. 2014. Imre Kertész—Nobel lecture: Heurika. Nobelprize.org. [http://www.nobelprize.org/nobel\\_prizes/literature/laureates/2002/kertesz-lecture-e.html](http://www.nobelprize.org/nobel_prizes/literature/laureates/2002/kertesz-lecture-e.html). Accessed 26 Dec 2016.
- RadioFreeEurope/RadioLiberty. 2015. Dzenana Halimovic—Here are the faces of thousands who died in Srebrenica. <http://www.rferl.org/fullinfoGraphics/infographics/27114531.html>. Accessed 26 Dec 2016.
- Reardon, Sara. 2014. Mugshots Built from DNA Data. *Nature*. March 20, 2014. <http://www.nature.com/news/mugshots-built-from-dna-data-1.14899>.
- Robert H. Jackson Center. 2016. Robert Jackson—Opening statement before the international military tribunal at Nuremberg. <http://www.roberthjackson.org/the-man/speeches-articles/speeches/speeches-by-robert-h-jackson/opening-statement-before-the-international-military-tribunal/>
- Tam Institute for Jewish Studies. 2016. Judgment of Mr Justice Charles Gray. *David Irving v. Penguin Books UK and Deborah Lipstadt*. <http://www.hdot.org/en/trial/judgement/13-66.html>. Accessed 25 Dec 2016.
- Yahad-in Unum. 2007. What is the Holocaust by Bullets? <http://www.yahad-inunum.org/>. Accessed 24 Nov 2016

## FILM AND TELEVISION SERIES

- Bernard, Carlo, Chris Brancato, Doug Miro, and Paul Eckstein. 2015. *Narcos*, Gaumont International Television.
- Folman, Ari. 2008. *Waltz with Bashir*. Bridgit Folman Film Gang, Les Films d'Ici, Razor Film Produktion GmbH, in Co-production with Arte France and ITVS, in collaboration with Noga Communication, New Israeli Foundation for Cinema and Television, Medienboard Berlin-Brandenburg, Israel Film Fund and Hot Telecommunication, and in Association with YLE Teema, Télévision Suisse-Romande (TSR), Radio Télévision Belge Francophone (RTBF), Special Broadcasting Service (SBS).
- Overmyer, Eric, and David Simon. 2010–2013. *Treme*. Blown Deadline Productions and HBO Entertainment.
- Simon, David. 2002–2008. *The Wire*. Blown Deadline Productions and HBO.
- Warlow, Richard. 2012. *Ripper Street*. Tiger Aspect Productions, Look Out Point, BBC, Element Pictures and Irish Film Board.

# INDEX

## A

Agonism (+ agonistic), [36](#), [168](#), [213](#), [221](#)  
Antagonism (+ antagonistic), [18](#), [167](#), [168](#), [213](#), [221](#)  
Authenticity, [20](#), [24](#), [123](#), [126](#), [133](#), [146](#), [158](#), [219](#)  
Authority, [9](#), [17](#), [53](#), [61](#), [71](#), [79](#), [87](#), [91](#), [121](#), [189](#), [203](#), [218–220](#)

## B

Barthes, Roland, [14](#), [32](#), [49](#), [50](#)  
Bevernage, Berber, [55](#), [170](#)  
Bull, Anna Cento, [18](#)  
Burney, Ian, [118](#)

## C

Caruth, Cathy, [55](#), [58](#), [60](#), [170](#)  
Cercas, Javier, [3](#), [34](#), [36](#), [170](#), [179](#), [211](#)  
Cesari, Chiara De, [16](#)  
Clark, Andy, [21](#)  
Clue, [32](#), [33](#), [144](#), [150](#), [156](#)  
Craps, Stef, [55](#), [58](#), [59](#), [61](#), [170](#)

Crime fiction, [31](#), [32](#), [38](#), [207](#), [225](#)  
Criminology, [11](#), [113–115](#), [117](#), [118](#), [125](#), [131](#), [132](#), [134](#), [141](#), [143](#), [155](#), [158](#), [220](#)  
Cultural memory studies, [14–16](#), [61](#), [218](#), [220](#)  
Cultural remembering, [5](#), [167](#), [172](#)

## D

Daston, Lorraine, [120](#), [121](#)  
David Irving trial, [10](#)  
Detective fiction, [32](#), [114](#), [156](#), [204](#), [205](#), [208](#). . *See also* Crime fiction  
Digital media, [20](#), [22](#), [23](#), [25](#)  
Dijck, Jose van, [20–22](#), [25](#)  
Disaster archaeology, [9](#)  
DNA, [8](#), [24](#), [31](#)

## E

Eichmann, Adolf, [50](#). . *See also* Eichmann trial  
Eichmann trial, [7](#), [50–52](#), [57](#), [170](#).  
*See also* Adolf Eichmann

Erll, Astrid, 5, 16, 18, 31, 36, 167, 212, 221

Ethics/ethical, 14, 29, 30, 37, 48, 57, 58, 63, 70, 76, 92, 101, 168–170, 179, 189, 220, 224

#### Evidence

Demonstrative evidence, 124, 127, 157

Forensic evidence, 2, 9, 26, 27, 114

Material evidence, 2, 6, 13, 101, 119

Photographic evidence, 36, 83, 113, 115, 122, 123, 125, 131, 145, 158

Visual evidence, 36, 121, 123, 171, 182, 184

Excavation, 6, 8, 18, 189, 190. *See also* Exhumation

Exhumation, 1, 7–9, 13, 19, 28, 34, 55, 136, 189, 190, 217, 219, 224. *See also* Excavation

Expert testimony, 12, 13, 80, 81

Extended cognition, 27. *See also* Situated cognition

#### F

Felman, Shoshana, 55, 58, 60

Ferrándiz, Francisco, 6–9, 11, 17, 18

Fictionality, 29, 34, 130, 158

#### Forensics

Forensic aesthetics, 15. *See also*

Forensis

Forensic architecture, 54

Forensic literature (and forensic literary work), 2, 5, 14. *See also* Forensic mode, forensic work

Forensic memory culture, 3, 4, 30, 224

Forensic mode, 1, 5, 28, 31, 33, 35, 37, 48, 67, 75, 94, 101, 106, 137, 170, 172, 193, 213, 218,

224. *See also* Forensic literature, forensic narrative

Forensic narrative, 15, 30, 36, 113, 130, 158, 170, 205. *See also*

Forensic literature, forensic mode, forensic work

Forensic shift, 7, 8, 12, 36, 48, 57, 63, 114

Forensic work, 3, 14, 30, 32, 37, 75, 76, 129, 158, 167, 168, 186, 193, 212, 221, 225

Forensis, 3, 6, 28. *See also* Forensic aesthetics

Forum (fora), 3–6, 10, 15, 26, 28, 29, 31, 35, 40, 54, 63, 103, 122, 127, 156, 168, 171, 212

Francoism, 34, 37, 175, 178, 181, 189

#### G

Gallison, Peter, 120

Genocide, 10, 14, 51, 54, 139, 172, 197, 207

#### Genre

Judicial genre/forensic genre, 3, 13, 14, 30, 101

Gibbs, Alan, 58–62, 66, 68, 170

Gross, Hans, 118–121, 134

#### H

Hansen, Hans Lauge, 18, 168, 169, 171, 178–180, 189, 221

Hemon, Aleksandar, 3, 34, 35, 113, 115, 128, 220

Hirsch, Marianne, 35, 48, 66–68, 72, 74, 123, 220

Historical revisionism, 10, 19

Historiographic metafiction, 33, 130, 158, 171, 178–180, 193

Holocaust, 4, 13, 34, 35, 47, 48, 50, 51, 53, 54, 56, 60, 65, 67–69, 71, 76, 77, 88, 91, 94, 99–101, 129, 147, 172, 224  
 Human rights, 7, 11, 15, 16, 19, 30, 49, 54, 55, 57, 218  
 Huyssen, Andreas, 14, 24, 54, 56, 61

## J

Judt, Tony, 14

## K

Kansteiner, Wulf, 58, 61  
 Keenan, Thomas, 7, 10, 13, 15, 25–28, 31, 32, 121, 182, 219

## L

Laub, Dori, 55, 60  
 Lipstadt, Deborah, 56  
 Literary trial, 90, 180, 186, 191, 218, 221  
 Lombroso, Cesare, 117  
 Luckhurst, Roger, 66, 70, 71

## M

Materiality, 2, 15, 20, 23, 41, 75, 97, 100, 133, 215  
 Mediality, 15, 20, 75, 225  
 Mediation, 21, 71, 84, 126, 144, 183, 193, 211, 225  
 Memory, 11, 14–22, 24, 26, 48, 50, 51, 54, 57, 59, 149, 167, 219, 220, 223  
   Memory collective, 15, 18, 50, 203  
   Memory cosmopolitan, 18, 48  
   Memory cultural, 2–4, 6, 19, 25, 29, 30, 61, 81, 167, 190, 213, 223, 218–220  
   Memory digital, 22

Memory narrative, 6, 19, 32  
 Memory transcultural, 17, 18  
 Memory transnational, 16–18, 25, 29, 220  
 Memory travelling, 18, 19, 211  
 Memory work, 3, 7, 9, 10, 18, 19, 66, 68, 84, 85, 88, 89, 92, 101, 208, 217, 219, 224

Mendelsohn, Daniel, 4, 48, 94

Mengele, Josef, 7, 50

Mnookin, Jennifer L, 122

## Mode

agonistic mode, 5, 169, 171, 172, 189, 213, 218, 221  
 antagonistic mode, 18, 168, 221  
 Cosmopolitan mode, 18, 169, 171, 189  
 Forensic mode, 28, 29, 31, 33, 94, 101, 137, 155, 169, 172, 193, 213, 220, 221, 224  
 Narrative mode, 2, 5, 30, 33, 63, 68, 167, 221  
 Reflexive mode, 36, 167, 221

Moretti, Franco, 32

Mouffe, Chantal, 18, 36, 168, 221

Multidirectional memory, 17, 18, 59

## N

Narratology, 29  
 9/11, 9, 24, 38, 105, 137, 203, 212, 215

## O

Objectivity, 2, 6, 119, 120, 218  
 O'Neill, Joseph, 3, 34, 37, 170, 191–193, 203, 204, 206, 208, 217, 220

## P

Perpetrator, 19, 59, 77, 92, 169, 199



Phelan, James, [1](#), [29](#)  
 Photography, [36](#), [72](#), [76](#), [121](#),  
[123–125](#), [127](#), [145](#), [156](#)  
 Postmemory, [35](#), [48](#), [63](#), [66–69](#), [75](#),  
[101](#), [189](#), [208](#), [220](#)  
 PTSD, [59](#)

## R

Rafter, Nicole Hahn, [114](#), [117](#)  
 Reading, Anna, [22](#)  
 Reconciliation, [18](#), [49](#), [55](#), [181](#), [188](#),  
[189](#)  
 Recovered memory syndrome, [71](#)  
 Renshaw, Layla, [7](#)  
 Rhetoric, [10](#), [13](#), [28](#)  
 Rigney, Ann, [95](#)  
 Rosenberg, Göran, [3](#), [34](#), [48](#), [63](#), [81](#),  
[90–92](#), [100](#), [127](#)  
 Rothberg, Michael, [17](#), [193](#), [207](#)  
 Rothe, Anne, [60](#), [62](#)  
 Russel tribunal, [54](#)  
 Rwanda, [7](#), [8](#), [54](#)

## S

Scale, [8](#), [16](#), [53](#), [59](#), [87](#), [88](#), [92](#), [94](#),  
[95](#), [97](#)  
 Schabas, William, [51](#)  
 Scholz, Susanne, [114](#), [116](#), [120](#)  
 Sebal, W.G., [48](#), [53](#), [66](#), [68](#)  
 Situated cognition, [22](#), [67](#), [68](#), [220](#).  
*See also* Extended cognition  
 Søybye, Esben, [48](#), [94](#), [97](#)  
 Sontag, Susan, [67](#)  
 Spanish Civil War, [4](#), [34](#), [178](#)

Srebrenica, Yugoslav wars, [7](#), [10](#), [11](#),  
[23](#), [34](#), [51](#), [212](#)  
 Surveillance, [83](#), [113](#), [137](#)  
 Sutton, John, [21](#)

## T

Transnationality, [15](#), [94](#), [152](#)  
 Trauma theory, [29](#), [35](#), [48](#), [56](#), [58](#),  
[61–63](#), [68](#), [81](#), [190](#), [191](#), [219](#),  
[224](#)  
 Truth and reconciliation, [6](#), [55](#)  
 Truth commission, [15](#), [57](#)

## V

Verdery, Katherine, [10](#)  
 Victim, [11](#), [12](#), [19](#), [20](#), [47](#), [50](#), [59](#),  
[62](#), [90](#), [139](#), [169](#), [170](#), [189](#), [217](#),  
[219](#), [224](#)

## W

Walsh, Richard, [29](#)  
 War crimes, [7](#), [12](#), [49](#), [54](#)  
 Weizman, Eyal, [10](#), [25](#), [54](#), [172](#)  
 White, James Boyd, [28](#)  
 Wieviorka, Annette, [50](#), [51](#)  
 Winther, Ulrich, [177](#), [179](#), [185](#)  
 Witness  
     Expert witness, [81](#), [173](#). *See also*  
     Expert testimony  
 World war II, [7](#), [9](#), [10](#), [34](#), [35](#), [37](#),  
[47](#), [48](#), [51](#), [69](#), [82](#), [97](#), [117](#), [172](#),  
[191](#), [197](#), [207](#), [210](#)